

PROJECTED SUCCESSES AND SHORTFALLS OF A SEMI-PERMANENT
INSPECTION LOCATION IN WESTERN LAKE ERIE FOR VESSELS ENTERING
THE UNITED STATES AND ITS EFFECT ON NATIONAL SECURITY

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Homeland Security Studies

by

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

PROJECTED SUCCESSES AND SHORTFALLS OF A SEMI-PERMANENT INSPECTION LOCATION IN WESTERN LAKE ERIE FOR VESSELS ENTERING THE UNITED STATES AND ITS EFFECT ON NATIONAL SECURITY, by Field Operations Supervisor Robert B. Simon, 91 pages.

Due to the unique circumstances surrounding border security enforcement operations in Western Lake Erie, there is a need to determine if improvement is possible. In a maritime environment there are limited options available for law enforcement to increase operational control. In Western Lake Erie, as with the entire International Boundary with Canada and Mexico, the responsibility for border security falls upon Customs and Border Protection.

The concept of a semi-permanent inspection location was initiated in Western Lake Erie by Customs and Border Protection personnel and the discussion has continued without a final determination of its viability or feasibility. In this thesis, the researcher will attempt to determine if a semi-permanent inspection location would increase border security within budgetary limitations while not alienating the pleasure boating public.

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ACRONYMS

BPA	Border Patrol Agent
CBP	Customs and Border Protection
CBPO	Customs and Border Protection Officer (Office of Field Operation)
DHS	Department of Homeland Security
MIA	Marine Interdiction Agent
OAM	Office of Air and Marine
OARS	Outlying Area Reporting System
OFO	Office of Field Operations
USBP	United States Border Patrol
USCG	United States Coast Guard

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CHAPTER 1

INTRODUCTION

Situation

The Department of Homeland Security is responsible for securing our nation's borders.¹ This responsibility requires that both the Southwest Border and the Northern Border be secured at and between the Ports of Entry. To accomplish this task, the Department of Homeland Security has designated its subordinate agency, Customs and Border Protection, with the responsibility of protecting the country by insuring that people and items entering the United States are doing so in a legal manner and in accordance with all laws and regulations governing entry into the country.² That being the case, individuals entering the United States are required to announce their entry and present themselves for inspection. United States law then allows for the inspection of persons and property entering to ensure compliance with immigration and customs statutes.³ This affords law enforcement, specifically Customs and Border Protection officers and agents, the opportunity to enforce immigration and customs laws in the interest of the safety and sovereignty of the United States.⁴

Currently in Western Lake Erie, individuals entering in pleasure boats are not routinely physically inspected and it is believed that many fail to announce their entry or present themselves for inspection. This creates the potential for significant national security failures by allowing the entry of individuals with nefarious intent. Although it is widely accepted that the rate of illegal entry is much lower compared to the Southwest Border, Customs and Border Protection understands the necessity of securing the Northern Border. This is primarily due to the presence of terrorist organizations centered

near the Northern Border in both the United States and Canada.⁵ The other major influence that encourages an improvement of Northern Border security is the increase in narcotics trafficking from Canada. The quality and quantity of the illegal narcotics being smuggled into the United States from Canada has continued to rise. Currently, marijuana, cocaine, meth, and Ecstasy are brought into the United States by transnational criminal organizations and are then trafficked into the rest of the United States.⁶

Throughout the land borders of the United States, Customs and Border Protection has the ability to funnel entrants to Ports of Entry, while patrolling the vast areas between Ports of Entry to force compliance for those attempting to enter.⁷ This is generally conducted by United States Border Patrol Agents utilizing vehicles, all-terrain vehicles, horses, motorcycles, and foot patrols to prevent illegal entry between the Ports of Entry, the Office of Field Operations at the Ports of Entry, and the Office of Air and Marine. The rate of illegal entry is often disputed. The Government Accounting Office has reported that apprehensions between the Ports of Entry between 1991 and 2011 reached their lowest levels in 2011; however, it is difficult to accurately estimate the number of individuals who successfully avoid apprehension. In fact, after a brief spike in apprehension rates, the probability of apprehension has again fallen to below 20 percent.⁸ If these statistics are correct, the apprehension numbers of just below 400,000⁹ in 2011 could equate to more than 1.6 million who successfully entered the United States illegally.

While these numbers can become staggering, the general belief in border security discussions has been that as apprehension numbers drop, there is an inherent increase in border security. This belief can be misleading, and based on the increased estimates of

illegal aliens residing within the United States, the theory that fewer apprehensions directly reflect a more secure border is not necessarily true.¹⁰ With this mindset it is difficult to convince the populace of the United States of a need for increased funding for border security related issues, especially in locations that are seen as relatively secure. As such, funding for Northern Border security measures is substantially lower than funding for Southwest Border measures.¹¹

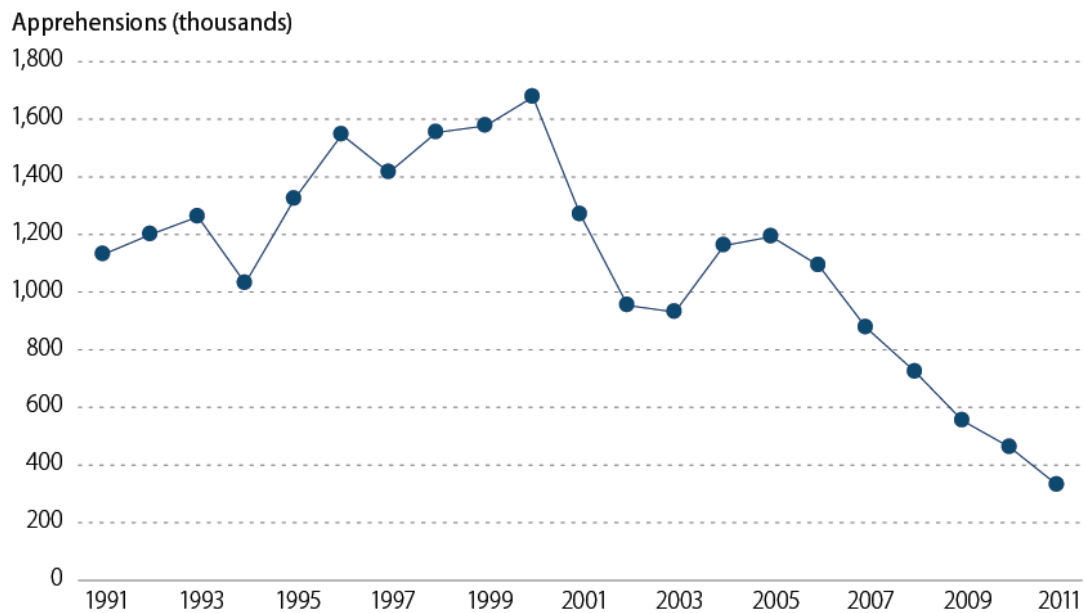


Figure 1. U.S. Border Patrol Apprehensions of Deportable Aliens, FY1999-FY2011

Source: Congressional Research Service, *Border Security: Immigration Enforcement Between the Ports of Entry* (Washington, DC: Congressional Research Service, January 6, 2012).

However, Western Lake Erie, being a waterborne International Boundary, does not present the same situation and, therefore, requires that Customs and Border Protection conduct operations in a significantly different manner. The current operation procedures

in place require that pleasure boaters entering the United States contact the Office of Field Operations, who are responsible for inspecting individuals and their vessels, announcing their arrival and presenting themselves for inspection, using either their personal telephones or Customs and Border Protection Video Phones located in several locations in the area.¹² After contacting the Office of Field Operations, they are directed to either present themselves at a specific location or are granted entry without being physically inspected. Because they are not routinely physically inspected, it is believed that entrants could secret contraband or illegal persons on their vessels with little fear of apprehension. Similarly, due to the constraints facing Customs and Border Protection in Western Lake Erie, it has been proven through previous maritime enforcement operations that many individuals entering the United States on pleasure boats do not announce their entry nor do they present themselves for inspection. This creates a scenario where entry is made in complete disregard to the laws of the United States and presents the opportunity for the entry of individuals and contraband contrary to those laws.

According to United States Coast Guard statistics, there are an estimated 4.2 million pleasure boats in the eight states on the Great Lakes.¹³ When considering this quantity of pleasure boating traffic, it becomes clear that there are unique challenges facing those tasked with border security in the region. In order to combat illegal entry in Western Lake Erie, Customs and Border Protection must set the conditions so that entrants consistently announce their arrival and present themselves for inspection. To accomplish this, there must be a protocol in place that not only allows entrants to easily comply with immigration and customs laws, but also presents the probability that failure to do so will result in significant penalty to the violator. To that end, the creation of a

semi-permanent inspection location could set the conditions necessary. The thesis question, then, is would a semi-permanent (limited by weather due to Western Lake Erie freezing during winter months which prevents boating) physical inspection location on one of the Lake Erie Islands increase national security, prevent alienation of pleasure boating public, and do so within current budgetary limitations?

Significance

This research is significant to national security in that a successful answer to this thesis would not only be beneficial in Western Lake Erie, but also in any other waterborne areas requiring increased inspection protocol. If the thesis proves that the semi-permanent inspection location would be successful in relation to the stipulations set forth, it could be used extensively to increase national security in other locations. Conversely, if the research conducted shows that the semi-permanent inspection location concept fails to meet the stipulations of the thesis, it would show that other options must be examined in order to meet national security interests.

In addition to the national security concerns addressed in this thesis, it is important to understand the environment associated with Western Lake Erie. Detroit, Michigan is a major Port of Entry and the largest trade link in the world.¹⁴ It is also in the relative center of the International Boundary that stretches over 5,225 miles separating the United States from Canada, the longest land border between two countries in the world,¹⁵ making it accessible from most of Canada and providing egress routes to the continental United States.

Limitations

The research conducted is limited to Customs and Border Protection operations, and those of closely coordinated partner agencies in Western Lake Erie. It will include the laws and regulations governing those operations, the current standard operating procedures, and common practices. The research will not include detailed threat analysis for the Northern or Southwest Border, rather, some of the historic evidence will be covered briefly. This thesis will not address the budgetary shortfalls that the United States is encountering, nor will it address the effects of sequestration on manpower availability issues (overtime/shift shortages), funding, or future predictions on staffing levels.

Delimitations

In addition to the basic research issues covered by this thesis, some brief research will also examine the successes encountered in other, similarly situated locations. In addition, the thesis will concentrate on the mitigation of national security threats created by the current operations in Western Lake Erie and the responsibilities of Customs and Border Protection in the context of national security, specifically as detailed in the *Homeland Security National Strategy* and the *Quadrennial Homeland Security Review*.

Qualifications

The researcher is a Field Operations Supervisor with the United States Border Patrol and has served in this capacity officially since August 2010. Prior to August 2010 the researcher served in the same position on an “Acting” basis. In this position, the researcher has been responsible for all Border Patrol Operations conducted in Northern Ohio and in Western Lake Erie with an assigned staff of approximately 50 federal agents

whose mission is to prevent the illegal entry of persons and items (specifically terrorists and terrorist weapons) between the designated Ports of Entry. The researcher has planned, coordinated, and overseen the execution of multiple marine surge operations conducted on Western Lake Erie. These operations focus on pleasure boaters entering the United States who fail to report as per United States law and those attempting to circumvent the reporting process in order to smuggle persons or contraband into the United States. The concept of these operations is to create an environment where pleasure boaters report their entry consistently so that law enforcement can concentrate on vessels attempting to avoid reporting and inspection in furtherance of a criminal activity.

The researcher has conducted statistical analysis of vessels encountered entering the United States versus vessels reporting legal entries based on the information gathered during these operations. This analysis has shown that a very low percentage of vessels meet the reporting requirements, either out of ignorance of the regulations or willful disregard of the legal standards in order to avoid inspection.

In addition, the researcher has extensive experience on both the Northern Border and the Southwest Border regarding the enforcement of both immigration and customs laws. This experience has prepared the researcher to conduct the research and analysis necessary to accomplish the objective of the thesis question and the relevant subsidiary questions.

Problem Statement

Currently in Western Lake Erie, pleasure boating reporting requirements and inspection processes create national security vulnerability. To mitigate this threat, steps must be taken to prevent illegal entries on Western Lake Erie. Due to increased threats to

the security of the United States it is necessary to explore any possible avenue in improving security measures and mitigating threat levels within the United States.

Threats to National Security

Generally when discussing border security, the discussion is restricted to events on, and effects from, the Southwest Border. Although Mexican Drug Smuggling Organizations are recognized for their violent tactics and the threat they pose to security, they are not the only threat to the United States. In 1999, Ahmed Ressam was arrested attempting to smuggle nitroglycerine into the United States through the Port Angeles, WA Port of Entry.¹⁶ This is just an example that shows that border security issues on the Northern Border must be considered when discussing national security. In order to focus this research, the security concerns will be assumed as valid and will not be argued. This is not intended to downplay the importance of research on Northern Border threat levels, rather to clearly delineate the topic of this research from other research efforts.

Research Questions

Would a semi-permanent (limited by weather) physical inspection location on one of the Lake Erie Islands increase national security, prevent alienation of pleasure boating public, and do so within current budgetary limitations? Using current boating trend analysis, what months require that the inspection location be open and what daily hours would be covered? What manpower requirements will the inspection location necessitate? Would additional staffing be needed to adequately cover the requirements? How would the inspection location alter patrol models in Western Lake Erie and what effect would that change have on national security? Will all three CBP agencies work the

location jointly? If so, how would the command and control be handled? How would coordination with partner agencies be accomplished? Would issues arise due to the changing enforcement environment? What location is best suited for the inspection location and how would the selection of one location be received locally? Would the addition of this inspection location increase voluntary reporting and reduce the number of individuals who fail to meet reporting requirements? If successful, what are the legal issues that would have to be addressed in order to convert this location to a Port of Entry?

Assumptions

As detailed in the Threats to National Security section, it will be assumed that there are individuals attempting to bring both contraband and humans into the United States illegally through Western Lake Erie. This assumption is necessary as the information that would prove or disprove this is not appropriate for publishing due to its classification and is substantial enough to require more research time and space than is available for a single thesis.

In addition, it is assumed that budgetary issues for Customs and Border Protection will remain consistent with the past years' budget. Understanding that the economic issues facing the United States may cause significant changes would only muddy the waters when determining the best way to secure the International Boundary in Western Lake Erie. All considerations regarding economic feasibility will only consider the budget as it has been, both with staffing levels, resource funding, and overtime expenditure availability. If the budget for Customs and Border Protection is reduced dramatically, then much of this thesis may need to be reconsidered in future research,

particularly the budgetary effect on the current results. If funding remains consistent, then the results of this thesis results will stand going forward.

Definition of Terms

The language in this thesis will make continuous reference to terms commonly used throughout the Department of Homeland Security which may be somewhat foreign to readers unfamiliar with the agency. Some of the terms are listed below with the definition as it will be used in this thesis.

Customs and Border Protection-the agency responsible for serving at the International Boundary both at and between the Ports of Entry. Customs and Border Protection is comprised of three subordinate agencies: Office of Field Operations, Office of Air and Marine, and the United States Border Patrol.

Deep water-water designated as other than riverine environment that is the operational area of Office of Air and Marine personnel, such as the Great Lakes, Gulf of Mexico, and Atlantic and Pacific Oceans.

Illegal Entry-entry at or between the Ports of Entry by either a person who does not possess the legal right to enter or fails to follow the legal requirements when entering. Also includes those who attempt to illegally import contraband that is either prohibited in the United States or attempt to import an item while failing to follow the legal requirements .

Northern Border-the land and maritime border of the United States separating the United States and Canada from Maine to Washington.

OARS Phone-video phone system utilized by pleasure boaters in Western Lake Erie to call offsite Customs and Border Protection personnel to report an entry into the United States.

Office of Air and Marine-agency responsible for operating Customs and Border Protection aircraft and vessels (in deep water) while assisting both the Office of Field Operations and the United States Border Patrol in the execution of their duties.

Office of Field Operations-agency responsible for working at the designated Ports of Entry throughout the United States. Responsible for the legal entry of persons and goods while not unnecessarily interfering with tourism and trade.

Pleasure boat-privately owned vessel that is utilized primarily for recreation. Includes a wide variety of vessels including fishing boats, speed boats, pontoon boats, houseboats, cabin cruisers, etc.

Port of Entry-location designated by law as a legal entry point into the United States.

Riverine-environment where Border Patrol Agents control maritime platforms. Routinely consists of rivers of varying depths.

Southwest Border-the land border separating the United States and Mexico from California to Texas.

United States Border Patrol- agency responsible for patrolling the International Boundary between designated Ports of Entry and enforcing both immigration and customs laws.

¹Department of Homeland Security, *Department of Homeland Security Strategic Plan, Fiscal Years 2012-2016*, February 13, 2012, <http://www.hsdl.org/?view&did=700830> (accessed May 7, 2013).

²Customs and Border Protection, *Secure Borders, Safe Travel, Legal Trade: CBP Strategic Plan 2009-2014*, 2009, <http://www.hsdl.org/?view&did=29986> (accessed May 7, 2013).

³8 U.S.C and 19 U.S.C.

⁴*Ibid.*, 2.

⁵*Ibid.*

⁶Office of National Drug Control Policy, *National Northern Border Counternarcotics Strategy*, February 2012, <https://www.hsdl.org/?view&did=697733> (accessed May 7, 2013).

⁷*Ibid.*, 2.

⁸Marc R. Rosenblum, *Border Security: Immigration Enforcement Between the Ports of Entry* (Washington, DC: Congressional Research Service, January 6, 2012).

⁹*Ibid.*

¹⁰Blas Nunez-Neto, *Border Security: The Role of the U.S. Border Patrol* (Washington, DC: Congressional Research Service, November 20, 2008), http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1577&context=key_workplace (accessed May 7, 2013).

¹¹*Ibid.*

¹²Customs and Border Protection, *Reporting Requirements for Private Boat Operators in the Great Lakes Region* (Washington, DC: Customs and Border Protection, February 2008).

¹³Great Lakes Commission, "Recreational Boating and the Great Lakes—St. Lawrence Region," <http://www.glc.org/advisor/00/recboating.pdf> (accessed May 7, 2013).

¹⁴Ruth Ellen Wasem, Jennifer Lake, Lisa Seghetti, James Monke, and Stephen Vina, *Border Security: Inspections Practices, Policies, and Issues*, May 26, 2004, <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA457906> (accessed May 7, 2013).

¹⁵*Ibid.*, 6.

¹⁶Steve Miletich, Mike Carter, James V. Grimaldi, and Anne Koch, “Terror Link Explored,” *The Seattle Times*, December 18, 1999, <http://community.seattletimes.nwsource.com/archive/?date=19991218&slug=3002190> (accessed May 7, 2013).

CHAPTER 2

LITERATURE REVIEW

Introduction

In chapter 1, the concerns for border security from the author's point of view were discussed. The limitations were explained and the concepts to be addressed in this thesis were discussed. In chapter 2, the relevant literature that was utilized will be explored.

The importance of securing the borders of the United States have been a topic of increased interest since the terrorist attacks of September 11, 2001. However, much of the research and published materials on this topic are geographically specific. For that reason, this literature review will be conducted based on the geographic topic of the material. The different areas that will be explored are: general border security, maritime border security, border security in the Great Lakes, and policies and legal precedence.

General Border Security

Since the terrorist attacks that occurred on September 11, 2001, there has been an increase in border security related literature, research, and discussion. Obviously, the main focus of these discussions revolve around the Southwest Border of the United States. As such, much of the literature available, especially of late, deals primarily with the United States' International Boundary with Mexico due to the dramatic increase in drug related violence in Mexico. When researching border security discussions, drug related violence articles are commonly found in almost every publication based in the Southwest United States as well as multiple national and international publications.

Although the vast majority of the literature deals with Mexican Drug Trafficking Organizations, there has been some movement recently to better represent the activity and prominence of Canadian Drug Trafficking Organizations. The National Northern Border Counternarcotics Strategy goes into great detail, and for all intents and purposes is the preeminent document when discussing efforts to reduce Northern Border narcotics smuggling. As opposed to the Southwest Border, where similar trafficking methods are utilized by the major Drug Trafficking Organizations, the Northern Border presents some unique challenges. Drug Trafficking Organizations in Mexico are relatively similar, relying on their subordinates or organizations specializing in illegal importation to move their products into the United States, whereas Canadian Drug Trafficking Organizations partner with numerous criminal organizations to move and market their narcotics. Additionally, Canada has a wide variety of ethnic Transnational Criminal Organizations including Asian, Irish, and Italians, as well as the Hells Angels Motorcycle Club.¹

While researching border security issues, it was also important to understand the funding issues that are involved. Customs and Border Protection has been heavily funded for an extended period of time and has utilized a large portion of that funding for technological advances to increase the probability of successful detection and apprehension. While the research indicates that the Department of Homeland Security has invested significant financial resources into technological advancements, there has been little return on the investment as evidenced by the cancellation of the America's Shield Initiative and Congress' repeated withholding of funding for the Secure Border Initiative.²

While the National Northern Border Counternarcotics Strategy is extremely valuable for the researcher to understand the current United States Government's strategy for dealing with cross-border narcotics smuggling, it is equally important to understand the overall strategic border security concerns. To do so, it is essential to review the strategic documents that guide the agencies involved.

The Department of Homeland Security Strategic Plan, Fiscal Years 2012-2016 and the *Quadrennial Homeland Security Review Report* describe in detail the responsibilities that the Department of Homeland Security feels are necessary and those agencies to whom it delegates those responsibilities. Additionally, *Customs and Border Protection Strategic Plan 2009-2014*, although produced prior to the more recent Department of Homeland Security strategy, again explains responsibilities and describes efforts that will be undertaken to increase border security. The *United States Border Patrol's 2012-2016 Border Patrol National Strategy* follows the concept of the previously mentioned strategic plans. With the information provided in these documents, the researcher is given insight into the general operations utilized, and the desired results, of each agency. Understanding these strategic plans is essential when researching border security issues and allows the reader to truly grasp the importance of the missions each agency undertakes.

When familiarizing oneself with border security issues, the strategic plans and general literature give a broad picture of the issue at hand. Although any border security thesis would not be complete without a review of general border security literature, it is not the main topic of this research.

Maritime Border Security

Maritime border security issues in the United States have not always been a major concern. Since the end of World War II, there has been a belief that there existed a low threat level in the maritime environment. As with general border security issues, since September 11, 2001, the interest in maritime issues has increased. The United States Border Patrol has maintained personnel in Puerto Rico for some time and, with assistance from the United States Coast Guard, have been responsible for maritime enforcement operations.³ With the establishment of Customs and Border Protection in 2003, and the subsequent creation of the Office of Air and Marine, maritime issues have been more heavily covered.

Recent lawsuits and Congressional inquiries regarding maritime enforcement efforts have brought more attention to the issue. In addition, numerous high-profile incidents in Southern California have made national news, as have smuggling attempts in the Caribbean. While these instances have served to increase the discussion, they primarily deal with ocean going vessels and are not as relevant to maritime security in the Great Lakes.

Border Security in the Great Lakes

The literature review for border security in the Great Lakes is another topic that has increased in frequency over the last several years. Unfortunately, the majority of the information is associated with the lawsuits referenced previously. Due to the sensitivity of the ongoing litigation, much of the literature review of Great Lakes enforcement efforts was not usable for this thesis.

However, the researcher was able to utilize much of the information available to gauge the public perception of enforcement efforts in the Great Lakes. To truly understand the public sentiment, the history of enforcement in the Great Lakes, specifically Lake Erie, must be understood. The only Border Patrol Station that patrolled Western Lake Erie outside of Michigan closed in 1957. From that time until 2008, there was no Border Patrol presence in the area to assist in enforcing reporting requirements. When the Border Patrol presence was reestablished and, with the assistance of partner agencies, recreational boaters were faced with increased law enforcement activities. This increase included the utilization of a patrol model that resulted in boaters being stopped and boarded throughout the Lake Erie Islands and Western Lake Erie.

These stops instigated a substantial amount of reaction in regional publications. The information gathered from these reactions are relevant to the research in that public perception and reception are extremely important to the concept of this thesis. Because the reaction to increased stops was so dramatically negative, it would appear that the boating public would not be in favor of a semi-permanent inspection location. However, because the inspection location would alleviate the need for a vast majority of the stops currently being conducted, the outcome could very well be the opposite.

Policies and Legal Precedence

Policies and legal precedence are one of the most interesting and informative portions of the literature review for the researcher. The information provided by the Department of Homeland Security, Customs and Border Protection, and the United States Border Patrol clearly define the mission and the expectations for border security regardless of the venue. In addition to the strategic documents of each agency, the

Homeland Security Act of 2002 and the portions of the United States Code enforced by each agency provide incredible insight into the abilities of, and justifications for, each of the above mentioned agencies.

The Department of Homeland Security issued their *Quadrennial Homeland Security Review Report* in February 2010. This document clearly describes the mission and goals of the Department of Homeland Security and its subordinate agencies. As per this document, the primary mission is the prevention of terrorism and increasing security. The second mission is to secure the borders of the United States.⁴ This is where the document becomes useful for this research. As discussed previously, the researcher was able to obtain clear delineations of responsibility that the Department of Homeland Security holds for itself.

In addition to the *Quadrennial Homeland Security Review Report*, the researcher was also able to gain a wealth of information from the strategic plans of the agencies involved. The Department of Homeland Security, Customs and Border Protection, and the United States Border Patrol have all issued agency specific strategic plans that align their individual efforts with those of their parent agency. For this research, the information found in the strategic plans provided agency priorities that were relevant to the thesis.

In addition to the literature that was available, the researcher was required to utilize interviews with subject matter experts in order to fill in area-specific information from individuals with extensive experience both in the area and in the agencies involved with the concept of the research. By conducting interviews with agency representatives and subject matter experts in the area, many of the questions that are too specific for

adequate literature review were answered. The researcher was able to draw conclusions about the concept while still considering the alternative courses of action.

¹Office of National Drug Control Policy, *National Northern Border Counternarcotics Strategy*.

²Nunez-Neto.

³Ibid.

⁴Department of Homeland Security, *Quadrennial Homeland Security Review Report: A Strategic Framework for a Secure Homeland*, February 2010, <http://www.hsdl.org/?view&did=29742> (accessed May 7, 2013).

CHAPTER 3

RESEARCH METHODOLOGY

Introduction

This thesis was completed utilizing the case study qualitative research methodology. Because many border security issues have been addressed ad nauseam in books, papers, and theses, the author of this thesis first determined that the topic of this thesis had not previously been explored in depth.

By conducting a thorough border security literature review, it became apparent that the information available was useful in determining background and peripheral standards and historical relevance. The literature review provided the researcher with exhaustive amounts of relative information that proved essential in setting the proper stage to accurately answer the thesis question. Border security has been, and by all accounts will continue to be, a significant issue in the United States, specifically in the law enforcement and national security communities. It also became apparent that the thesis question could not be answered by merely relying on the literature already available. The border security situation in Western Lake Erie is extremely unique and required the use of additional information in order to successfully answer the thesis question.

After determining the relative uniqueness of the thesis topic, however, the specificity of this research required that a case study methodology be utilized. As such, the key to reaching a substantive conclusion was the use of in-depth interviews with subject matter experts. This process provided the researcher with detailed information

about the current situation as seen by the law enforcement professionals assigned the task of border security in the region as well as realistic expectations and limitations.

Data Collection

In order to provide a clear and unambiguous standard for comparison, the information reviewed consisted of agency specific strategic planning documents, historical references, agency documentation, and local and national media articles. This provided the standard operating procedures and base line for operations conducted in Western Lake Erie. After the base line was determined, interviews were conducted with subject matter experts to clarify the previously accumulated standards and to explore the possibilities of increasing border security in Western Lake Erie.

The collection of information relevant to the thesis topic required that all agency specific strategic documents were reviewed. This led to an in-depth understanding of the issues surrounding United States border security efforts. Not only is it essential to understand the strategy of the Department of Homeland Security, Customs and Border Protection, and the United States Border Patrol, but also how the current administration deals with border security concerns. The *National Northern Border Counternarcotics Strategy* provides a significant statement regarding how President Obama considers border security on the Northern Border. The totality of these documents afford a more complete understanding of the planning and expected results of national security efforts.

The in-depth interviews conducted were the crux of the data collection, without which, the thesis question may not have been answered. The subjects of the interviews were selected based on their individual experience and knowledge of the situation, environment, and potential for success. In order to insure that the information provided

was accurate to the region, the interviewees were all based in the Western Lake Erie area and assigned to conduct border security related missions. Additionally, multiple levels of command were interviewed as well as representatives from multiple agencies to prevent unintentionally skewing the results.

In preparation for the interviews, the researcher received verbal acceptance from each perspective interviewee in which they agreed to take part in the documented interviews. Each interviewee was provided with, and signed confirming their acceptance, an informed consent agreement form (figure 2). This form clearly explains to the interviewee that their participation is voluntary. In addition, it informs the interviewee with information regarding the manner in which the interview will be conducted, the documentation that will occur, their right to decline to answer specific questions, and their right to end the interview at their discretion. The final portion of the informed consent agreement explains that the results of the interview are the property of the government and their answers will be utilized, and possibly quoted, in this thesis. The forms were provided in advance of the interviews and all questions the interviewees had regarding the form were answered prior to the interviews.

Data Analysis

The data analysis necessary for this research required that the literature review be balanced against the information provided during the interviews. Specifically, how effective would the semi-permanent inspection location be within the current strategic plans and the abilities of the associated agencies to conduct the missions needed? This necessitated the weighing of current capabilities with those required for successful

implementation of the inspection location. In addition, it required the determination of feasibility when compared to strategic planning.

By utilizing the interviews with subject matter experts, the thesis questions can be tested for effectiveness and real world implementation practicality. Furthermore, the reliance on interviewees was necessary as the increased enforcement efforts in the region are relatively recent which limited the amount of researchable literature available. While this made the interviews essential for a conclusion to be reached, it also provided the opportunity to obtain answers to specific questions that were otherwise unavailable.

The manner in which the data was analyzed offered a particularly valuable look inside the operations currently conducted and the options available to increase effectiveness and efficiency in border security efforts in Western Lake Erie. This, in turn, allowed for a more comprehensive determination of the achievability and projected viability of the semi-permanent inspection location. The analysis also provided the details that would need to be clarified prior to any implementation of an inspection location while adding additional constraints to the equation. Ultimately, the data analysis was successful in providing the information necessary to answer the thesis question.

Standards of Quality and Verification

Due to the researchers previous experience in the field, it was important to prevent any unintentional bias from influencing the results of the research. This required that all research conducted be done in a manner that allowed for multiple points of view while maintaining the necessary specificity. By conducting interviews with subject matter experts that are familiar to the researcher, it created another circumstance where bias could be encountered.

In order to prevent personal bias from affecting the results of the research, the interviews were conducted individually. This was done to avoid group think and to offer each interviewee the opportunity for individual response without influence from other interviewees. Each subject was provided with background information regarding the thesis prior to the interview and was afforded the opportunity to answer questions or refuse to answer questions at their discretion. Additionally, every attempt was made to pose all questions in open ended format to allow the interviewee the ability to expound on their responses as they desired. During the interviews, the researcher simply posed the questions and documented the answers as stated. When there were questions regarding the intent of the answer, clarification was sought and documented as well. By conducting every interview in the same manner and based on the same basic questions, the likelihood of bias was minimized.

After the completion of the interviews, each interviewee was provided a copy of the notes taken and afforded the opportunity to rethink their response and change their answer based on the additional time to reflect. This was done to prevent an interviewee from feeling as though they were being put on the spot without time for proper reflection and consideration. Again, these additional efforts were performed to reduce the possibility of bias.

After the completion of the data collection and analysis it was important to double check the impartiality of the research conducted. To do so, the thesis was provided to peers from the United States Army Command and General Staff College and the United States Border Patrol for review and comment. Peers reviewing the document were specifically asked to look for bias by the author in addition to their normal review

procedures. Having confidence in the peer reviews conducted, it is reasonable to assume the lack of bias in this thesis.

CONSENT AND USE AGREEMENT FOR ORAL HISTORY MATERIALS

You have the right to choose whether or not you will participate in this oral history interview, and once you begin you may cease participating at any time without penalty. The anticipated risk to you in participating is negligible and no direct personal benefit has been offered for your participation. If you have questions about this research study, please contact the student at: _____ or Dr. Robert F. Baumann, Director of Graduate Degree Programs, at (913) 684-2742.

To: Director, Graduate Degree Programs
Room 4508, Lewis & Clark Center
U.S. Army Command and General Staff College

1. I, _____, participated in an oral history interview conducted by _____, a graduate student in the Master of Military Art and Science Degree Program, on the following date [s]: _____ concerning the following topic: _____.

2. I understand that the recording [s] and any transcript resulting from this oral history will belong to the U.S. Government to be used in any manner deemed in the best interests of the Command and General Staff College or the U.S. Army, in accordance with guidelines posted by the Director, Graduate Degree Programs and the Center for Military History. I also understand that subject to security classification restrictions I will be provided with a copy of the recording for my professional records. In addition, prior to the publication of any complete edited transcript of this oral history, I will be afforded an opportunity to verify its accuracy.

3. I hereby expressly and voluntarily relinquish all rights and interests in the recording [s] with the following caveat:

_____ None _____ Other: _____

I understand that my participation in this oral history interview is voluntary and I may stop participating at any time without explanation or penalty. I understand that the tapes and transcripts resulting from this oral history may be subject to the Freedom of Information Act, and therefore, may be releasable to the public contrary to my wishes. I further understand that, within the limits of the law, the U.S. Army will attempt to honor the restrictions I have requested to be placed on these materials.

Name of Interviewee	Signature	Date
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Accepted on Behalf of the Army by		Date
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Figure 2. Sample Informed Consent Agreement

Source: Army Command and General Staff College, Consent and Use Agreement for Oral History Materials (Ft. Leavenworth, KS, Command and General Staff College, 2013).

CHAPTER 4

ANALYSIS

Introduction

The previous chapters have detailed the reason for this thesis, the literature reviewed in an attempt to answer the thesis questions, and the methodology utilized to determine an accurate conclusion. Once the researcher completed those steps, the information gathered was analyzed in order to reach an answer to the thesis questions. This required the detailed analysis of not only the literature reviewed, but more importantly, the distillation of the information provided during the interviews. The methodology of this thesis, and the questions it sought to answer, mandated that analysis began with the secondary research questions. The reason for this is that in order to accurately answer the primary thesis question, the secondary research questions must be clearly and unequivocally answered.

To that end, this chapter will discuss the information reviewed and will seek to address each of the secondary research questions individually so that the researcher has appropriate information to reach a sound conclusion during chapter 5. The first of those to be addressed is: What are the legal issues that would have to be addressed in order to convert a semi-permanent inspection location to a Port of Entry if deemed appropriate after initial implementation? As research progressed regarding the remaining research questions, it became apparent to the researcher that this questions was not valid to the thesis. The entire concept of the thesis dealt with the viability of the inspection location both in feasibility and executability. To detour the process of research, and muddy the waters of the results, by assuming viability in order to determine what would need to be

done to convert the location into a full-time Port of Entry was unrealistic. Therefore, this secondary research question was not answered in this thesis, but it will be addressed in chapter 5 in terms of the need for future research, as this question could require significant, specific research to determine an accurate conclusion.

Increase in Voluntary Reporting

While there are no concrete statistics to determine if a semi-permanent inspection location would increase voluntary reporting of arriving vessels, it is important to rely on the experience of those familiar with the environment being discussed. While researching this question, the researcher interviewed several officials with Customs and Border Protection in an effort to gain insight from those tasked with border security in the region. These interviews provided a very substantive outlook on the effect a semi-permanent inspection location would have on voluntary reporting of pleasure boaters entering the United States in Western Lake Erie. Each of the interviewees have vast experience in their field, providing the expertise necessary to validate their answers, and also have multiple years working in the Western Lake Erie area which makes each one a valuable asset to this research.

Deputy Patrol Agent in Charge David B. York has over 15 years of experience with the United States Border Patrol and has previously been in charge of all operations conducted by the United States Border Patrol in Sandusky Bay Border Patrol Station's area of responsibility in Western Lake Erie. Agent York stated that a semi-permanent inspection location would increase voluntary reporting. In his experience, he has seen the positive effect on reporting compliance when Customs and Border Protection has increased their presence in the area through short term surge operations. Agent York,

referencing his extensive experience in conduct and oversight of previous operations, and his discussions with members of the pleasure boating community through community outreach and public speaking engagements, felt that there was little doubt that an inspection location would be effective in increasing voluntary reporting.¹

Patrol Agent in Charge Corey H. Bammer, like Agent York, has a tremendous amount of experience gained through enforcement activity execution and oversight in the region. Agent Bammer also acknowledged the value that a semi-permanent inspection location would have on voluntary reporting, however, he also believes that enforcement cannot be overlooked. In order to continue the trend of voluntary reporting after the initial implementation, he believes that it is essential that enforcement of non-compliance penalties be conducted consistently. Without these enforcement activities being conducted simultaneously to the introduction of the inspection location, the voluntary reporting increase may be not be as substantial.²

This is certainly one thought process regarding the voluntary reporting of vessels entering the United States in Western Lake Erie. The opinions of Agent Bammer and Agent York reflect the carrot and stick approach. Basically, if you make the reporting easier you will see an increase in boaters voluntarily complying with reporting requirements. However, to be truly successful, and for the most dramatic increase in voluntary reporting, enforcement activities outside of the inspection location would need to increase as well. The thought being that if you make reporting easier, more people will comply. If you make reporting easier and make the penalty for failure to report severe and consistent, then the vast majority of pleasure boaters will comply.

Acting Division Chief Matthew H. Donaldson was also asked about the effect a semi-permanent inspection location would have on voluntary reporting. His opinion, while agreeing that it would have a positive effect on voluntary reporting numbers, was more about the carrot and less about the stick. Agent Donaldson's belief was that voluntary reporting numbers are directly correlated to the ease of use for pleasure boaters. Agent Donaldson, who has over 18 years of experience with the United States Border Patrol, believes that pleasure boaters want to comply with reporting requirements and conduct themselves in accordance with the laws of the United States. However, the opportunity to do so must have little effect on their recreation and must have a high level of ease of use. The boater, therefore, must be able to report without an undue waste of fuel or time in order to maximize the potential benefit that an inspection location would have on voluntary reporting.³

Supervisory Marine Interdiction Agent Nathan P. Aller had a similar opinion. Agent Aller also believes that the major reason for failure to report is the difficulty associated with meeting the reporting requirements. His opinion was based on the belief that the majority of pleasure boaters are law abiding and have a desire to conduct themselves in accordance with the legal requirements governing reporting of arriving vessels, given that this process is not unnecessarily burdensome. Again, if you make the job of the pleasure boating public easier to accomplish, they are more willing and likely to do so.⁴

This is the second thought process regarding voluntary reporting in Western Lake Erie. As with the previous thought process, it is based on belief that if you make voluntary reporting easier for the boating public, they will comply. However, the major

difference in the two is the belief by Agent Donaldson and Agent Aller that voluntary reporting will increase solely due to the ease of the process, while Agent York and Agent Bammer feel that consistent compliance enforcement is equally essential to increasing reporting. While these two frames of reference appear to share common ground in one aspect, and vary in the other, the researcher found through the rest of the interviews that all of the interviewees spoke to the need for increased enforcement efforts as a key to the overall success of the concept.

Location

The next research question that was analyzed related to deciding where to locate the inspection location and how that decision would be received by the public in the region. In order to understand the enormity of this question, it is essential to understand the geographical layout of Western Lake Erie. There are four major islands on the United States side of the International Boundary and two majors islands on the Canadian side. The Canadian islands are Middle Island, which is extremely small and holds little strategic value in the local area, and Pelee Island, which is a large island with year round residents and the potential to be used as a jump off point for those entering the United States. The major islands on the United States side are: North Bass Island, Middle Bass Island, South Bass Island, and Kelleys Island. All four have year round residents, while South Bass Island, home of Put in Bay, and Kelleys Island receive large amounts of pleasure boaters during the summer months.

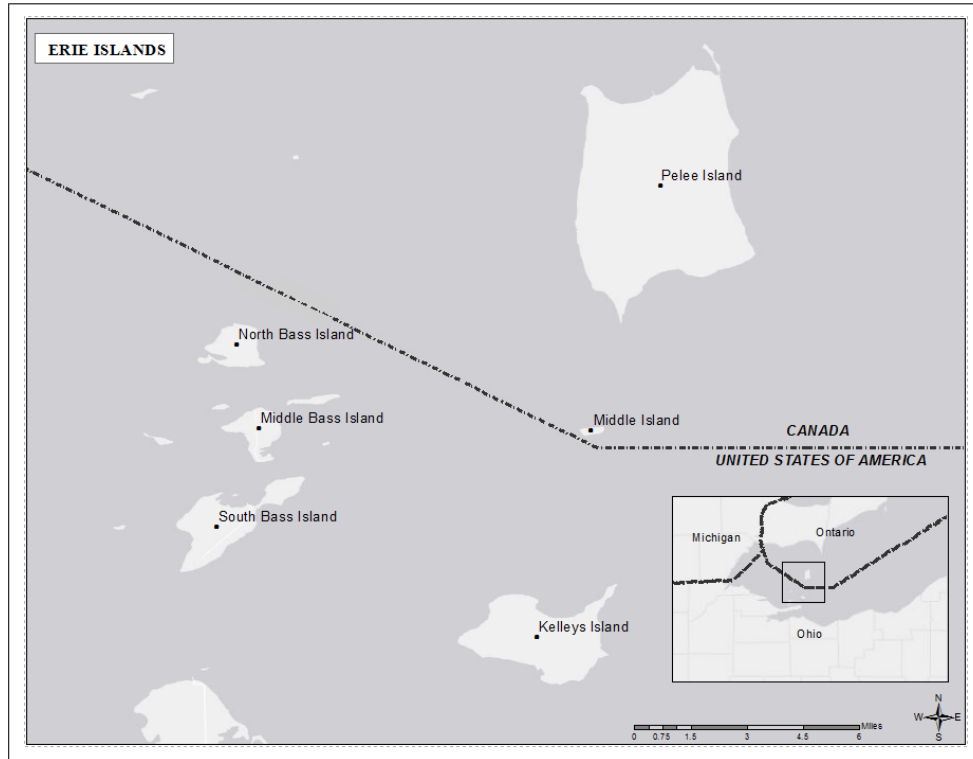


Figure 3. Lake Erie Islands

Source: MPA Kelly Allen, United States Border Patrol, Detroit Sector Headquarters (Selfridge ANGB, MI, United States Border Patrol, March 27, 2013).

The pleasure boaters in Western Lake Erie primarily come from the region and recreational boating is widely prevalent in the area. Ohio has a reported 426,000 registered recreational boats and almost one quarter of all Ohioans, or nearly 3 million Ohio residents, go recreational boating each year.⁵ Michigan, like Ohio, has a large number of recreational boaters. In 2010, Michigan had more than 950,000 registered boats.⁶ Accurate statistics of boater registration for Ontario, Canada, which occupies the northern portion of Lake Erie, are difficult to obtain, but assuming that the numbers are similar to those in the United States, it is clear that there are well more than a million boaters who have access to Western Lake Erie throughout the boating season.

While the large numbers of boaters shows the importance of selecting a proper location for the inspection location, little to no research has been conducted previously that would aid in making the proper determination. Once again, the researcher depended on the subject matter experts that were interviewed in order to reach a conclusion regarding location. However, this question did not have a clear consensus. Several interviewees made specific recommendations, while others made general suggestions or had no conclusive opinion.

Agent Bammer, who has over 18 and a half years of experience enforcing immigration and customs laws, was the most decisive during his interview. In his opinion, the location that should be selected for this concept is a marina on Middle Bass Island that is owned and operated by the state of Ohio.⁷ This location is centralized in a major boating route that leads from Canada to the United States between the Bass Islands and Kelleys Island. It would be easily accessible for vessels intending on visiting the attractions on South Bass Island, Kelleys Island, or Sandusky, Ohio, and would not require boaters to travel long distances outside their normal routes of travel in order to comply with reporting requirements.

Agent Aller also mentioned Middle Bass Island as a possibility for the location of a semi-permanent inspection location, but was less certain about the site selection. His concern was based on any appearance of preferential treatment to the community on one of the islands over the communities on other islands.⁸ Understandably, this shows the importance of making the proper determination when dealing with location. The combination of community support for the site selection and ease of use for pleasure boaters must be balanced in making this determination.

Neither Agent Donaldson nor Agent York were able to definitively answer the question during their interviews. This was not from a lack of knowledge or experience, rather Agent Donaldson believed that as long as it was located in an area that was convenient to boaters it would be effective.⁹ Agent York, on the other hand, felt that it was too early in the process to make an appropriate determination as to the selection of a location. It was his opinion that in order to accurately and fairly make a selection that would be both cost efficient and operationally effective, more research should be done. His recommendation was that a group be assigned to do site studies so that all the requirements were met within the limitations and specifications set forth.¹⁰

The subject matter expert interviews revealed that there is no obvious choice when looking at site selection for this concept. While there is a consensus that the location must be selected in a manner that would provide ease of use, the answer is not apparent. Agent York appeared to have a thorough understanding of the complexity of this and his suggestion for a site study group is further addressed in chapter 5.

Joint Operation

The determination of a need for joint operations at a semi-permanent inspection location is more well established in the literature reviewed and with the interviews conducted. Before a thorough discussion of the information relative to this question is conducted, a brief historical reference is worthy of mention in an effort to set the appropriate stage. Shortly after the creation of Customs and Border Protection, Commission Robert C. Bonner took part in an awareness campaign aimed at introducing the American public to the agency. As part of this awareness, the phrase “One Face at the Border”¹¹ was used. This phrase was intended to describe the major improvement to

border security and the facilitation of trade made by the creation of Customs and Border Protection. Instead of individuals and companies having to deal with the United States Customs Service, United States Department of Agriculture inspectors, and the Immigration and Naturalization Service, there would be one agency responsible for all border security and trade issues, Customs and Border Protection. This extended past the Ports of Entry with the inclusion of the United States Border Patrol, formerly part of the Immigration and Naturalization Service, and the newly created Office of Air and Marine. The concept of the new agency was to have a one stop shop for all border related issues.¹²

Due to the initial desire of Customs and Border Protection to exhibit one face at the border, agents and officers were cross trained so that each one was familiar with the duties and responsibilities of their coworkers within the agency. This training set the conditions for the joint operation of a semi-permanent inspection location by broadening the knowledge base of those assigned to border security efforts. Today's Customs and Border Protection agents and officers are expected to increase border security while continuing to work toward the free flow of trade into and out of the United States.¹³

The next part of the analysis necessary to determine if joint operations would be needed or beneficial to this concept is a review of the strategic documents of the involved agencies. The Department of Homeland Security's most recent strategy document was clear in its responsibility for border security. Mission 2, Securing and Managing Our Borders, and Goal 2.1, Secure U.S. Air, Land, and Sea Borders, removed any question about the duties expected of its subordinate agencies.¹⁴ Similarly, Customs and Border Protection's strategic planning documents describe the agency's responsibility to secure America's borders.¹⁵ Finally, the United States Border Patrol's strategic plan also

includes similar duties. As with Customs and Border Protection, the United States Border Patrol's primary goal is securing America's borders.¹⁶ The analysis clearly showed that each agency, or at the very least each parent agency, acknowledged the necessity for it, or its subordinate agencies, to take appropriate measures to secure the border between the United States and our neighbors.

Next, the researcher analyzed the comments of the subject matter experts interviewed for this thesis. In this regard, there was a clear consensus among all of the agents interviewed. The common thread throughout the group of interviewees was that not only should the semi-permanent inspection location be a joint operation, but rather that it must be jointly operated in order to insure success. Agent Aller, who has over 13 years of experience with Customs and Border Protection and is in charge of marine operations in the Sandusky Bay Station area of responsibility, made a very strong case for joint operations. His belief is that while the Office of Field Operations is capable of conducting entry inspections and clearing procedures, the addition of Border Patrol Agents who are experts in the enforcement of immigration laws and Marine Interdiction Agents who are experts in maritime issues, provided the Office of Field Operations with additional capabilities that would increase overall effectiveness of the location.¹⁷

Overall analysis of both the literature associated and the interviews conducted showed that the responsibility for inspections in this type of location are incumbent on the Office of Field Operations.¹⁸ However, nowhere was there any regulation or policy that would prohibit the use of Border Patrol Agents or Air Interdiction Agents from assisting in the inspection process. This would allow the proper mix of separate agency personnel to staff the location as deemed necessary. In addition, the combination of

agents and officers from different agencies would increase the knowledge base on site thereby increasing the potential for success while also presenting a united Customs and Border Protection presence to the boating public.

Command and Control

When discussing the command and control to be used in this concept, it is important to remember that the Office of Field Operations, as mentioned previously, is statutorily responsible for conducting inspections and clearing vessels. This leads the researcher to continue on that frame of reference. Each of the interviewees was specifically asked their ideas regarding effective command and control processes in this type of situation. All of the agents agreed that the Office of Field Operations should maintain command and control. When considering the previous discussion of joint operations, this may require some agencies to subordinate their agents, which could create significant issues if not handled properly.

These issues, particularly when agents from one agency are required to report to managers from another agency, could create an ineffective environment if not agreed upon in advance. To that end, Agent Donaldson, whose current position puts him in charge of all Border Patrol Operations in Michigan and Ohio, was very clear in how he would deal with the situation. Agent Donaldson believes that for this concept to be successful, the Office of Field Operations would have to be the primary agency with the United States Border Patrol and Office of Air and Marine acting in a supporting capacity. He went on further that those agents acting in a supporting capacity would report to the senior Office of Field Operations Officer on site.¹⁹ Agent Donaldson's response is clearly mission centric in that he is willing to subordinate his agents in order to increase the

effectiveness of the concept. This example of interagency coordination shows that the Customs and Border Protection personnel in the region are open and willing to put aside individual agency pride in order to secure the International Boundary in Western Lake Erie. Further, it shows that, if the agency headquarters in Washington, DC can agree to interoperability like those have locally, this concept should have little to no issues related to command and control.

Changing Enforcement Environment

Next, the researcher examined how a semi-permanent inspection location would change the maritime enforcement environment in Western Lake Erie. The researcher also examined how a projected change in the enforcement environment would be received locally, specifically, how the pleasure boating public would respond to the creation of a reporting location and how increased compliance enforcement efforts would affect the relationship Customs and Border Protection has with those in the pleasure boating community. In order to fully understand the potential changes expected in the enforcement environment, and the reaction that those changes are likely to produce, the current operating procedures were reviewed. The analysis of the current operational situation versus the projected environment if this concept were to be implemented, showed a significant change that must be considered important in this discussion.

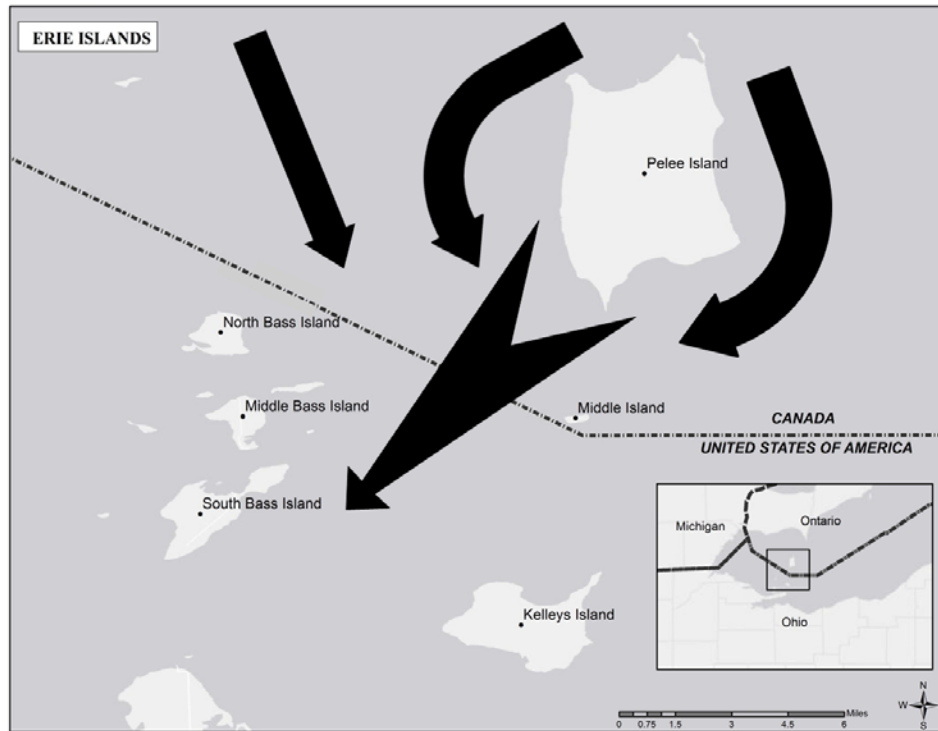


Figure 4. Western Lake Erie Pleasure Boating Travel Routes

Source: MPA Kelly Allen, United States Border Patrol, Detroit Sector Headquarters (Selfridge ANGB, MI, United States Border Patrol, March 27, 2013).

Currently, the process for vessel reporting and clearing operations are determined by the Office of Field Operations. When boaters enter the United States in Western Lake Erie they have no specific location where they must present themselves for inspection, rather than can literally go wherever they choose. Once the boater has made landfall, they contact the Office of Field Operations either telephonically or by utilizing an Outlying Area Reporting System video phone. These video phones are located in three locations in the Lake Erie Islands and Sandusky, Ohio area and allow the vessel master to contact Office of Field Operations personnel located in Cleveland, Ohio to report their entry. The Office of Field Operations personnel then determine if the reporting party needs to be

physically inspected or they clear the reporting party. If the reporting party is cleared, then they are treated the same as an individual who has made entry through a Port of Entry at a land border.²⁰ However, the effectiveness of the current protocol is where the projected change in the enforcement environment begins to take shape. Through discussions with the boating public, agents have become aware that there is little respect for the current system. Pleasure boaters have come to believe that there is little incentive to report and little chance that there will be consequences if they fail to report.²¹

If this concept were to be implemented, the agents interviewed all suggested that the enforcement environment would see significant changes. The most surprising statements in this regard were not related to agency perspective, instead they were the public desires as relayed by the interviewees. According to the experts, the pleasure boating public has long desired a location where they can report without the hassles involved in the current process. There are two reasons for this. First, the pleasure boating public, by and large, is law abiding and desire to report their entry, as long as the process is made as quick and easy as possible. Second, consistent inspections will increase the public's belief in the security being provided in the border region and increase the level of confidence in the United States Government's dedication to border security.²²

The border security in Western Lake Erie is certainly a priority. Government reports have shown that Canada possesses terrorist affiliates and extremist groups.²³ This fact is not beyond the comprehension of those who live near Lake Erie and/or use Lake Erie for pleasure boating. When the pleasure boating public is in support of increased inspections and are willing to undergo closer scrutiny when entering, it is apparent that they understand the potential threats facing the United States. The implementation of this

concept would positively affect the enforcement environment by reducing the level of those threats and, given the support of the boating public for this type of concept, would do so without negatively impacting the Customs and Border Protection's relationship with local communities.

Change in Patrol Methods

In order to determine the prospective changes in patrol methods, the best source of information was the subject matter experts. While there were several minor variations on the response to this question, the most logically explained answer was provided by Agent Donaldson in the way of an example. To paraphrase, if you are bass fishing, you understand that 90 percent of the fish are located in 10 percent of the water. If you are able to eliminate the 90 percent of the water that only contains 10 percent of the fish, you are much more likely to be successful and efficient.²⁴

To translate this example to law enforcement, it means that if you can eliminate the law abiding public from your patrol, you have a higher probability of encountering those intent on violating the law. This is the reason that Ports of Entry are beneficial to border security. A Port of Entry is a location where the United States Government has told people they may enter and exit the country. By doing so, the government has prevented people who follow the law from crossing the border wherever they choose and greatly reduced those who attempt to cross between the Ports of Entry. This allows the United States Border Patrol the ability to know that anything or anyone crossing between the Ports of Entry is doing so in violation of the law. Because there is no clearly delineated reporting location in Western Lake Erie, it creates the need for the agents patrolling the area to locate the proverbial needle in a haystack.²⁵ Therefore, if reporting

was required at a particular location, the agents assigned the responsibility of locating the small minority intent on violating the law, or the needle referenced above, would have a significant advantage over the current methods of patrol.

Current patrol methods are based on a patrol model, or a model where agents navigate a maritime platform near the International Boundary in an effort to identify vessels entering the United States. The targeted vessels are then stopped and questioned prior to their continuing to their destination with the expectation that they will properly report their entry to the Office of Field Operations upon making landfall. This model is not efficient because, as was previously discussed, the vast majority of those entering the country are law abiding. If the semi-permanent inspection location was implemented, the patrol method could be altered from a patrol model to a response model.²⁶ A response model is when enforcement assets are staged and respond only to threats that have clearly failed to follow the law or appear to have the intention of violating the law. In Western Lake Erie, this would allow marine patrols to conserve fuel while utilizing their vessel's radar to locate potential targets. This change would reduce the amount of vessel stops conducted while greatly increasing the productivity of the stops that were conducted.

Coordination with Partner Agencies

After determining how the location would affect the enforcement environment, it was important to analyze how the agencies would coordinate their activities. As discussed in the Joint Operation and Command and Control sections, the agents who would be responsible for coordinating efforts are willing to do so without hesitation. The coordination framework, especially at the local level, is already in place. In fact, it is reasonable to believe that the coordination between the Office of Field Operations, the

United States Border Patrol, and the Office of Air and Marine may be the easiest part of the entire concept. These three agencies are already collocated in Sandusky Bay Station and routinely coordinate activities through combined shift musters, or pre-shift briefings, and through intelligence sharing.²⁷ The one agency that was not represented in the subject matter expert interviews and that would require coordination is the Office of Field Operations. Their absence in the conversation will be discussed in chapter 5.

As it was relatively clear that local coordination efforts would be executed effectively, the researcher needed to analyze the level of coordination at the agency level. Starting at the top, it was essential to determine the Department of Homeland Security's stance on interagency coordination. To that, the researcher relied on the words of the Secretary of Homeland Security, Janet Napolitano. In the *2012 Department of Homeland Security Northern Border Strategy*, Secretary Napolitano stated that coordination between agencies in the Department of Homeland Security was the foundation of all methods employed in an effort to increase security on the Northern Border.²⁸ Secretary Napolitano further directed that there will be a future focus on intra-Departmental coordination and collaboration to increase the ability of Department personnel to work together.²⁹ This concept was also evident in the *Department of Homeland Security 2010 Bottom-Up Review Report*, where the practice of coordination and collaboration was taken further with the direction of cross-Departmental training and enforcement coordination.³⁰

Next, the researcher addressed the likelihood of coordination at the Customs and Border Protection level, as the parent agency would have a substantial voice in coordination efforts of its subordinate agencies. In *Secure Borders, Safe Travels, Legal*

Trade: CBP Strategic Plan 2009-2014, it was once again clear that coordination is considered a key to mission success. In fact, Customs and Border Protection's strategy document states that, in order to provide security along the United States' borders, coordination and integration of all Customs and Border Protection components is required.³¹ The combination of Department of Homeland Security and Customs and Border Protection strategy statements are unambiguous in their mandate for inter-agency coordination. With the proper framework already in place locally and the overarching parent agencies direction, the researcher is confident that coordination efforts could, and would, be successful in this concept.

Manpower Requirements

To determine the appropriate manpower requirements to operate a semi-permanent inspection location in Western Lake Erie, it has to be understood that, at least initially, there is a level of uncertainty that must be accepted. This portion of the formula must be based on an educated prediction based on experience and understanding of the operational environment. Due to the inherent uncertainty created by the uniqueness of this concept, there is no concrete answer that has been predetermined, rather the researcher again was required to rely on the subject matter experts to provide realistic estimates of the manpower requirements.

The consensus of the agents interviewed was that the location would require a minimum of between four and six agents and/or officers at all times. Agent Aller suggested that two representatives from each agency would be ideal. As mentioned previously, he felt that the combination of subject matter experts on site would improve effectiveness and that six personnel would be a reasonable staffing level.³²

However, all of the agents also agreed that their initial assessment of manpower requirements were based on the situation as it is currently known, and their predictions are amenable to alteration based on trend analysis once the location was operational and enough time had passed to provide a valid sample size to conduct trend analysis. While this uncertainty prevents a decisive conclusion, it is safe to assume that their knowledge of the environment is substantial enough to at least determine initial manpower requirements. This led the researcher into the next portion of the analysis which discussed current staffing levels and if each agency felt that they possessed adequate levels to implement the concept immediately without requiring additional staffing.

Staffing Levels

Current staffing levels of the agencies that would be responsible for the implementation of this concept vary. The Sandusky Bay Border Patrol Station is currently staffed with 65 Border Patrol Agents.³³ The Sandusky Marine Unit has 13 Marine Interdiction Agents, but that number is set to be reduced to 12 through attrition.³⁴ As mentioned previously, information regarding the Office of Field Operations is not available and the reasons will be discussed in chapter 5.

Each of the agents interviewed were asked if their current staffing levels were such that they could aid in the implementation of the concept immediately, or if they would require additional manpower assets. The local agency representatives all agreed that their current staffing levels were sufficient to support this concept. However, the missing Office of Field Operations information creates a substantial hole in this discussion.

If the information provided by the subject matter experts is correct, regarding manpower requirements and assuming the two shift per day requirement that will be discussed in the next section, then on a daily basis there would be a requirement for a minimum of 12 agents and/or officers on duty. As normal staffing formulas dictate that half of your assigned manpower is on duty each day, the rest either being on training status or some type of leave, then to staff a semi-permanent inspection location would require a minimum of 24 personnel. While the staffing numbers of the Sandusky Bay Border Patrol Station and the Sandusky Marine Unit are clearly high enough to manage that obligation, it is worth repeating that the Office of Field Operations is the primarily agency responsible for inspections and clearing procedures.

Therefore, regardless of the manpower available through partner Customs and Border Protection agencies, the Office of Field Operations must supply a substantial amount of personnel in order to effectively and efficiently operate the location within legal and policy guidelines. Furthermore, both the Sandusky Bay Border Patrol Station and the Sandusky Marine Unit have other border security duties that require significant staffing levels. These additional responsibilities would greatly reduce the amount of agents available to assist in a semi-permanent inspection location.

Although there are no regulations that prohibit a multi-agency inspection location, the personnel make-up of the location must be discussed. As examined previously, initially there is a reasonable expectation that all three agencies would provide personnel to staff the location. While in its infancy, this is an excellent way to insure that the necessary knowledge and experience are available consistently. However, as the concept matures from implementation until it becomes standard operating procedure in the region,

does this mix of personnel continue to be effective or does it reduce overall long-term border security? While this is a difficult point in the process to make that type of determination, it is worthy of discussion.

At land borders throughout the country, Office of Field Operations personnel routinely handle all phases of immigration and customs clearances. In Sandusky, Customs and Border Protection Officers conduct similar duties when working at airports and clearing commercial ferries. Do they have the same amount of experience in immigration issues as Border Patrol Agents? The answer is probably not. Do they have the same maritime knowledge base and small vessel familiarity as Marine Interdiction Agents? Again, the answer is probably not. Can they, over the course of several pleasure boating seasons working with Border Patrol Agents and Marine Interdiction Agents, be educated and trained to the same level of effectiveness? Without question this is not only possible, but probable.

Therefore, what is the ideal long-term appearance of a semi-permanent inspection location in Western Lake Erie? The researcher believes, from the information gathered and the understanding of the agencies involved, that the most effective staffing of the location would consist, almost completely, of Office of Field Operations personnel. Their inherent responsibility for the clearance process, teamed with the individual responsibilities of both the United States Border Patrol and the Office of Air and Marine, make this the most logical and reasonable solution for staffing once the location has reached maturity. While it is assumed that agents from each agency would prefer to be a part of the location throughout its lifecycle, returning sole responsibility for its execution

to the Office of Field Operations appears to be the correct handling of the staffing requirements.

This determination does not prevent the Sandusky Bay Border Patrol Station or the Sandusky Marine Unit from assisting the Office of Field Operations on an occasional basis in the distant future. Instead, it sets the conditions for the Office of Field Operations to maintain primacy of their clearance procedures while returning the supporting agents to their primary duties of patrolling between the Ports of Entry to insure consistent compliance. When would this turnover occur? That determination would have to be made based on the circumstances and would require fluidity and flexibility from the involved agencies. This is realistic to expect given the local coordination discussed previously.

Operational Periods

One of the more consistent responses that was received during the subject matter expert interviews was what days and times the location would need to be operational. The pleasure boating season in Western Lake Erie is primarily from Memorial Day to Labor Day, presenting a roughly three month period with the heaviest vessel traffic.³⁵ At least at its inception, this is a reasonable time frame to conduct operations. Obviously, as the effectiveness is examined throughout the first season or two, the operational period could be extended as necessary. But again, this decision would need to be based on information gathered over an adequate time period to provide accurate trend analysis.

The second part of the equation is what hours each day would the location need to be operational? Referring again to the subject matter experts, it was apparent that initial assessments from the agents fell into two categories. The first is that the ideal coverage would be 24 hours a day.³⁶ This was due to the amount of unknowns involved in pleasure

boating traffic patterns. Presently, it is believed that pleasure boating traffic is primarily active during daylight hours, however, due to the lack of accurate detection technology, it is impossible to succinctly eliminate the possibility that some traffic, either legitimate or illicit, continues during darkness. The second category regarding hours of operation called for approximately 16 hours a day of coverage.³⁷ The agents who subscribed to this frame of thought utilized the current belief that pleasure boaters operate primarily during daylight hours to justify the modified operational hours. They felt that due to the newness of the concept, the shortened operational times were adequate. They also suggested that the hours could be adjusted as need dictated or if increased hours were justified through trend analysis.

Throughout the review of the information available, it was difficult to determine which of the suggestions made by the subject matter experts is correct, or if there is even a correct answer at this point in the discussion. While conservation of manpower is important and limiting the operational hours would aid in that, it is still not the clear choice. Neither is the idea of running full-time operations with the significant possibility that for eight or more hours a day, there would be six or more agents and/or officers with little to no vessel traffic to inspect. The researcher began the analysis with the full-time operational suggestion then reviewed the benefits of part-time operations.

The strategic documents that guide the involved agencies appear to be more in line with the first category. The *Department of Homeland Security Small Vessel Security Strategy* explains that Customs and Border Protection is responsible for inspection of all vessels entering the United States.³⁸ Furthermore, it describes how limited resource availability makes enforcement of reporting requirements difficult.³⁹ Similarly, the 2012

Department of Homeland Security Northern Border Strategy states that the open travel through the maritime environment increases the possibility that a threat could exploit the area.⁴⁰ While these documents would appear to point to the full-time operations, that may not be the correct decision.

When considering the manpower requirements associated with operating the location, it will require roughly 12 agents and/or officers assigned to each shift that are to be covered. With a full-time operation, it would require a minimum of 36 agents assigned to its coverage. While that accounts for only 12 additional agents than the part-time operation, it could potentially have a significant effect on other border security operations. When you combine that with the commonly held belief that the hours of darkness are not routinely utilized by pleasure boaters, it is reasonable to assume that, at least initially, the best course of action would be a part-time operation. As with the manpower requirements, however, it would be open to evaluation and redetermination as more is learned through experience and trend analysis. Again, the fluidity and flexibility regarding operational periods of those involved would be essential to the long-term success of this concept.

Necessity of Concept

After utilizing the information discussed above about the particulars of a semi-permanent inspection location, the researcher again analyzed the totality of information available to determine if there was a distinct need for this concept prior to reaching conclusions in chapter 5. With that in mind, this discussion should begin with the legal mandate for vessels entering the United States to report their arrival. To that end, 19 CFR 4.2(a) states:

Upon arrival in any port or place within the U.S., including, for purposes of this section, the U.S. Virgin Islands, of any vessel from a foreign port or place, any foreign vessel from a port or place within the U.S., or any vessel of the U.S. carrying foreign merchandise for which entry has not been made, the master of the vessel must immediately report that arrival to the nearest CBP facility or other location designated by the port director. The report of arrival, except as supplemented in local instructions issued by the port director and made available to interested parties by posting in CBP offices, publication in a newspaper of general circulation, and other appropriate means, may be made by any means of communication to the port director or to a CBP officer assigned to board the vessel. The CBP officer may require the production of any documents or papers deemed necessary for the proper inspection/examination of the vessel, cargo, passenger, or crew.⁴¹

That section of law removes any doubt that there is a requirement for all arriving vessels to report their entry upon arrival and allows the discussion to progress. The next step is to examine the strategic documents that regulate border security issues.

The Department of Homeland Security was created on November 25, 2002 with the passage of the Homeland Security Act of 2002.⁴² On March 1, 2003, Customs and Border Protection was created as a subordinate agency to the Department of Homeland Security. Therefore, the discussion will begin with overarching United States strategic documents and related laws, Department of Homeland Security documents, then progress through Customs and Border Protection's strategic documents and the United States Border Patrol's most recent strategy, and finish with a review of the subject matter expert interviews.

Customs and Border Protection has been designated to carry out a broad range of laws covered in the *United States Code*. These laws are primarily contained in Title 8, relating to immigration laws, and Title 19, relating to customs laws. When dealing with immigration laws, Customs and Border Protection is responsible for enforcing laws requiring aliens to be in possession of proper travel documents, travel control of citizens

and aliens, and to prevent the entry of any alien that is covered under a restriction ordered by the President of the United States.⁴³ In addition, they are responsible for the exclusion of certain aliens and imposing limitations on the entry of nonimmigrants.⁴⁴ The last of the major sections of immigration law that are enforced by Customs and Border Protection include the authorities of immigration officers which allow for the inspection of arriving aliens, the expedited removal of amenable aliens, and the detention of certain aliens.⁴⁵

Title 19 assigns further duties to the enforcement personnel of Customs and Border Protection. The majority of the responsibilities relate directly to importation, exportation, and tariffs, however, there is one section that is extremely important to the discussion at hand. Customs and Border Protection, through Title 19, are authorized to stop and search any person or vehicle entering the United States.⁴⁶

These laws, combined with 19 CFR 4.2(a) mentioned earlier, cover the operations that would be conducted at a semi-permanent inspection location. Therefore, the research has unmistakably demonstrated that the authorities necessary for the implementation of this concept are clearly defined and within the purview of the agencies that would be responsible for their execution. With the legal standing of the concept expressly permitted, the discussion will move on to the relevant strategic documents to insure that the concept is within the policies and intent of the United States Government.

As mentioned previously, the *Homeland Security Act of 2002*, established the Department of Homeland Security and designated it with the responsibility of ensuring border security.⁴⁷ The 2004 version of the Department of Homeland Security strategy listed securing the borders and enforcing immigration and trade laws as part of Strategic Goal 2.⁴⁸ In 2005, President George W. Bush directed that the Department of Homeland

Security increase maritime security efforts while insuring that those efforts are efficient and effective.⁴⁹ This directive was followed in 2006 by the *National Strategy for Maritime Security: National Plan to Achieve Maritime Domain Awareness* which stated that accurate awareness of the maritime environment was essential to increasing national security.⁵⁰

President Bush reiterated these statements in 2007 when, in that year's *National Strategy for Homeland Security*, he declared that the United States, "will continue to strengthen and enhance screening, scanning, and detection capabilities at all U.S. maritime ports and land ports of entry for cargo entering, leaving, and moving within the country."⁵¹ The *Department of Homeland Security Small Vessel Security Strategy* also clearly stated in 2008 that it was imperative to close the security gaps related to small vessels in the United States' maritime environment.⁵² It further stated, "improving reporting procedures is essential to increasing reporting compliance and gathering data for risk-based efforts."⁵³ A 2008 Government Accounting Office report related to these maritime security strategic documents found that they accurately addressed the potential threats facing America.⁵⁴

While America encountered a Presidential Administration change in January 2009, the United States Government's opinion on border security, and more specifically, maritime border security, did not change. The Department of Homeland Security's *Quadrennial Homeland Security Review Report: A Strategic Framework for a Secure Homeland* issued in 2010 stressed the importance of maritime domain awareness and the prevention of illegal entry in maritime environments.⁵⁵ In the 2010 *National Security Strategy*, President Barack Obama identified the objective of working toward closing

gaps in border security, including the maritime environment.⁵⁶ Additionally, the Department of Homeland Security's 2010 *Bottom Up Review Report* discussed the intent of the Department to improve security through enhanced travel system and maritime enforcement activities.⁵⁷

President Obama echoed those sentiments in the 2011 *National Strategy for Counterterrorism* by indicating the importance of maritime and Port of Entry security to the overall safety of America.⁵⁸ The *National Northern Border Counternarcotics Strategy* also reflected on the importance of interdicting the importation of narcotics in the maritime environment.⁵⁹ Furthermore, the 2012 Department of Homeland Security's *Northern Border Strategy* acknowledged the threats that the lack of consistent inspections and reporting present to national security.⁶⁰ The final of the Department of Homeland Security strategic documents reviewed specified that the Department secures the borders of the United States while facilitating legal trade and travel.⁶¹

These documents, taken separately and as a whole, make it clear that since the inception of the Department of Homeland Security, the President of the United States and the Secretary of the Department of Homeland Security have agreed upon the importance of maritime security to the effectiveness of overall national security efforts. Further, these documents show that there is a distinct need for increased security efforts in the maritime environment. The concept being proposed, and whose viability is in question in this thesis, would be in line with the objectives laid out in the strategic documents covered above and therefore, at least at the highest levels, it appears that there is a necessity for this type of concept. The researcher then reviewed the strategic documents of Customs

and Border Protection and the United States Border Patrol to insure that the concept was also in line with the intent of those documents.

Customs and Border Protection's *Secure Borders, Safe Travel, Legal Trade: CBP Strategic Plan 2009-2014* demonstrates throughout, the importance of securing America's borders. As part of the vision statement, placement of strategic infrastructure to support maritime security efforts is identified as a plan to be executed within the next five years.⁶² In addition, the top strategic goal is listed as securing our nation's borders and the top objective is to establish and maintain control of our borders, which includes the utilization of infrastructure, technology, and personnel.⁶³ As with the documents reviewed from the White House and the Department of Homeland Security, the strategic document that is meant to be a guidance for future Customs and Border Protection operations contains many of the same directives that would support implementation of the concept in question.

The most recent strategic document for the United States Border Patrol also addresses similar guidance for future operations. The primary goal in the *2012-2016 Border Patrol National Strategy* is to secure America's borders through information, integration, and rapid response.⁶⁴ This is important as not only is the United States Border Patrol's desire to secure the border in line with the concept, but the inclusion of integration with partner law enforcement agencies validates the previously discussed idea that the local agents are capable, willing, and ready to coordinate and cooperate with the Office of Field Operations and the Office of Air and Marine in order to effectively employ a semi-permanent inspection location.

The final segment of this discussion to be reviewed in order to determine the necessity of this concept is the interviews conducted with subject matter experts. The usage of these interviews as part of this determination is important due to the interviewees regional expertise and the extensive border security knowledge and experience that each possesses. Because the review of each interview will be separated, the researcher documented the source information at the end of each paragraph.

When discussing this concept with Acting Division Chief Matthew H. Donaldson, the researcher asked what Agent Donaldson found to be the most difficult aspect to border security in Western Lake Erie. Agent Donaldson stated that the absence of detection capabilities was, in his opinion, the most difficult aspect. He further explained that without a dedicated reporting and inspection location, a large amount of clutter was created in the operational environment which prevented law enforcement personnel from easily identifying those entrants with nefarious intent. Agent Donaldson added that a semi-permanent inspection location would also benefit the traveling public in the area. This is due to the desire of legitimate boaters to have a defined and easily accessible location to report their entry. In addition to making reporting easier and more tolerable to the traveling public, he believes that it would significantly increase the effectiveness of border security efforts in the region by funneling legitimate traffic to a specified location, thereby allowing law enforcement to concentrate on those avoiding inspection. Overall, Agent Donaldson suggested that this concept would have a positive impact on border security in the region.⁶⁵

Patrol Agent in Charge Corey H. Bammer was presented with the same questions. Agent Bammer also believed that the lack of adequate detection capabilities was the most

challenging aspect of border security in Western Lake Erie. As with Agent Donaldson, Agent Bammer believed that there would be a benefit to law abiding boaters if this concept were to be put into use. He believed that by providing a location where it was easy for boaters to report their entry into the United States, many fewer would be subject to vessel stops while underway, reducing what many boaters regard as a nuisance. The biggest benefit that Agent Bammer identified was the reduction in excessive law enforcement resource allocation. If the majority of boaters are reporting at one location, then it would require less assets to adequately patrol the open waters in Western Lake Erie resulting in more effective, and fiscally responsible, operations.⁶⁶

The researcher posed the same questions to Deputy Patrol Agent in Charge David B. York. He stated that it was his opinion that this concept would improve border security in the region while also having a positive effect on pleasure boaters who utilize Western Lake Erie. As with the previous interviewees, Agent York acknowledged that boaters want a location to easily report within the legal guidelines. If this concept were to be implemented, he stated that it would aid in eliminating the most difficult part of border security in the region, the ability to determine which vessels are intending on committing criminal acts. When law enforcement has the authority to stop vessels in the vicinity of the International Boundary but cannot determine with any level of certainty which vessels are conducting illegal activities, it creates a scenario where innocent boaters feel imposed upon while the likelihood of apprehending those conducting criminal activity remains low.⁶⁷

The final interviewee to be discussed was Supervisory Marine Interdiction Agent Nathan P. Aller. Agent Aller, when asked about the most difficult aspect of border

security efforts in the area, identified the difficulty in separating legitimate boating traffic from targets of interest within the large amount of pleasure boaters. Additionally, he stated that while this concept may not be the proverbial silver bullet, he believes that any effort to improve on the status quo is a positive change. With that, Agent Aller felt that these efforts would not only go a long way in securing America's borders, but would also be a visible example of the efforts Customs and Border Protection takes to protect the American populace. He believed that operating this location, if done appropriately, would not alienate the boating public and would increase their confidence in border security.⁶⁸

The review of the interviews conducted revealed that the regional subject matter experts held similar viewpoints toward the concept of a semi-permanent inspection location in Western Lake Erie. Although none of those interviewed believed that it was panacea for all possible threats to the United States in Western Lake Erie, each believed that the overall effect would be an improvement from the current operating procedures. The researcher addressed a wide variety of relevant questions to each of the interviewees and when taken as a whole, the responses were in favor of the concept being reasonable, feasible, and necessary.

After a thorough review of the strategic documents that originated in the White House and those from the Department of Homeland Security, Customs and Border Protection, and the United States Border Patrol, it is evident that this concept is not in violation of the intent of, or the direction and guidance provided in, those documents. Further, a review of the legal statutes that govern the law enforcement activities of Customs and Border Protection revealed that this concept would not infringe upon the laws of the United States. Finally, the review of the information provided by subject

matter experts expressed a positive opinion of the concept taking into account their experience and familiarity with the region. Furthermore, the totality of the information confirms that there is a necessity for some type of improvement in border security in Western Lake Erie, which this concept could accomplish.

Summary

In chapter 4, the researcher chose to analyze each of the secondary research questions in order to confirm that there was adequate information available to reach measurable conclusions. Having addressed the secondary research questions, the researcher has set the conditions to reach a complete and accurate conclusion to the primary research question. While not every secondary question resulted in a clear-cut answer, the information used in this analysis did provide enough detail to move forward. This allowed the researcher to address the need for a semi-permanent inspection location in Western Lake Erie.

In that regard, the researcher reviewed and analyzed the related laws and policies, the governing strategic documents, as well as the subject matter expert interviews. This information also provided a significant amount of clarity to the discussion by addressing the situation in a drill down approach. Beginning with the Presidential mandates, moving to Department of Homeland Security directives, and then through Customs and Border Protection and United States Border Patrol strategies, the researcher was able to confirm the validity and necessity of the proposed concept.

Having completed the analysis required to reach a conclusive answer to the thesis question, the researcher has prepared the information needed to complete this research. chapter 5 will discuss the conclusions reached through the information collection and

analysis. The researcher will also address the areas where there was no clear conclusion. In addition, chapter 5 will address the areas that remain in need of further research and the issues that, through the analysis conducted, brought to light the requirement for additional examination.

¹David B. York, Telephone interview by author, Kansas City, MO, March 20, 2013.

²Corey H. Bammer, Telephone interview by author, Kansas City, MO, March 19, 2013.

³Matthew H. Donaldson, Telephone interview by author, Kansas City, MO, March 19, 2013.

⁴Nathan P. Aller, Telephone interview by author, Kansas City, MO, March 18, 2013.

⁵Ohio Department of Natural Resources, "Recreational Boating in Ohio," 2012, <http://watercraft.ohiodnr.gov/Portals/watercraft/PDFs/rbio2012.pdf> (accessed May 7, 2013).

⁶Eric Foster, "Michigan Boating 2010 Annual Directory," 2010, <http://www.miseasons.com/boating/> (accessed May 7, 2013).

⁷*Ibid.*, 2.

⁸*Ibid.*, 4.

⁹*Ibid.*, 3.

¹⁰*Ibid.*, 1.

¹¹Robert B. Bonner, "Remarks of Robert C. Bonner, Commissioner of U.S. Customs and Border Protection, 'Know Before You Go' Awareness Campaign," June 10, 2004, http://www.cbp.gov/xp/cgov/newsroom/speeches_statements/archives/2004/jun102004_2.xml (accessed March 24, 2013).

¹²*Ibid.*, 11.

¹³Customs and Border Protection, *Secure Borders, Safe Travel, Legal Trade*.

¹⁴Department of Homeland Security, *Department of Homeland Security Strategic Plan, Fiscal Years 2012-2016*.

¹⁵Ibid., 13.

¹⁶United States Border Patrol, *2012-2016 Border Patrol National Strategy* (Washington, DC: United States Border Patrol, 2012).

¹⁷Ibid., 4.

¹⁸Ibid., 2.

¹⁹Ibid., 3.

²⁰Ibid.

²¹Ibid., 1.

²²Ibid.

²³Ibid., 13.

²⁴Ibid., 3.

²⁵Ibid., 2.

²⁶Ibid., 4.

²⁷Ibid., 3.

²⁸Janet Napolitano, "Northern Border Strategy," June 2012, <http://www.hsdl.org/?view&did=712147> (accessed May 7, 2013).

²⁹Ibid.

³⁰Janet Napolitano, "Bottom-Up Review Report," July 2010, <http://www.hsdl.org/?view&did=21593> (accessed May 7, 2013).

³¹Ibid., 13.

³²Ibid., 4.

³³Ibid., 1.

³⁴Ibid., 4.

³⁵Ibid., 2.

³⁶Ibid., 1.

³⁷Ibid., 4.

³⁸Department of Homeland Security, *Department of Homeland Security Small Vessel Security Strategy*, April 2008, <http://www.hsdl.org/?view&did=485572> (accessed May 7, 2013).

³⁹*Ibid.*

⁴⁰*Ibid.*, 28.

⁴¹19 CFR 4.2(a).

⁴²6 USC 101.

⁴³8 USC 1181, 8 USC 1185.

⁴⁴8 USC 1182, 8 USC 1184.

⁴⁵8 USC 1357, 8 USC 1225, 8 USC 1226.

⁴⁶19 USC 482.

⁴⁷*Ibid.*, 42.

⁴⁸Tom Ridge, “Securing Our Homeland: U.S. Department of Homeland Security Strategic Plan,” 2004, <http://www.hsdl.org/?view&did=712147> (accessed May 7, 2013).

⁴⁹George W. Bush, *The National Strategy for Maritime Security*, September 2005, <http://www.hsdl.org/?view&did=456414> (accessed May 7, 2013).

⁵⁰George W. Bush, *National Strategy for Maritime Security: National Plan to Achieve Maritime Domain Awareness*, October 2006, <http://www.hsdl.org/?view&did=458076> (accessed May 7, 2013).

⁵¹George W. Bush, and Homeland Security Council, *National Strategy for Homeland Security*, October 2007, <http://www.hsdl.org/?view&did=479633> (accessed May 7, 2013).

⁵²*Ibid.*, 38.

⁵³*Ibid.*

⁵⁴United States Government Accountability Office, *Maritime Security: National Strategy and Supporting Plans Were Generally Well-Developed and Are Being Implemented* (Washington, DC, United States Government Accountability Office, June 2008).

⁵⁵Department of Homeland Security, *Quadrennial Homeland Security Review Report*.

⁵⁶The White House, *National Security Strategy*, May 2010, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf (accessed May 7, 2013).

⁵⁷*Ibid.*, 30.

⁵⁸The White House, *National Strategy for Counterterrorism*, June 2011, http://www.whitehouse.gov/sites/default/files/counterterrorism_strategy.pdf (accessed May 7, 2013).

⁵⁹Office of National Drug Control Policy, *National Northern Border Counternarcotics Strategy*.

⁶⁰*Ibid.*, 28.

⁶¹*Ibid.*, 14.

⁶²*Ibid.*, 13.

⁶³*Ibid.*

⁶⁴*Ibid.*, 16.

⁶⁵*Ibid.*, 3.

⁶⁶*Ibid.*, 2.

⁶⁷*Ibid.*, 1.

⁶⁸*Ibid.*, 4.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

Introduction

In chapter 1, the author introduced the topic of this thesis and set the conditions for the reader to understand the circumstances surrounding the research that was to be discussed. In chapter 2, a review of the available literature was conducted and in chapter 3, the methodology utilized in this thesis was explained. chapter 4 contained an in-depth discussion and analysis of the information discovered during the research and what issues were encountered. The researcher, in chapter 5, will explore the information that the author was unable to obtain, the conclusions that have been reached, and the topics that the author believes merit further research.

Missing Information

Throughout chapter 4, the author mentioned several instances where there was a lack of information from the Office of Field Operations. While information contained in the strategic documents of the Department of Homeland Security and Customs and Border Protection provide a great deal of insight into the operations, requirements, and expectations of the Office of Field Operations, the absence of subject matter expert interviews created a significant gap in information. This absence served as chasm between what is expected of the Office of Field Operations and the information that the researcher was able to confirm through source material.

While conducting the research necessary to reach sound conclusions in this thesis, the author determined that there was a need to discuss relevant issues with area specific

subject matter experts. As such, the researcher contacted regional representatives from each of Customs and Border Protections' subordinate agencies and requested permission to conduct interviews. Representatives from the United States Border Patrol and the Office of Air and Marine agreed to take part in the interviews under the conditions set forth by the author. During those interviews, the individuals being interviewed were open and forthright throughout. Although they had the opportunity to answer, or not answer, any of the questions posed to them as they saw fit, they spoke freely and candidly about their experiences in border security efforts and how they believed this concept would affect border security in Western Lake Erie. The information provided during these interviews offered a substantial benefit to the research and served to validate many of the conclusions discussed later in this chapter.

However, the interviews that were conducted fell short of the information desired due to the lack of representation from the Office of Field Operations. This was not due to the lack of interest from the researcher. The author contacted two high ranking representatives from the Office of Field Operations with the same request that was presented to the interviewees from the United States Border Patrol and the Office of Air and Marine. Unfortunately, one of the regional Office of Field Operations representatives that was contacted declined the opportunity to provide insight into the concept of this thesis, while the other failed to respond to the request altogether.

There was no clear explanation for the declination or for the lack of response, nor will the author try to draw any type of inference. Unfortunately, this declination prevented the Office of Field Operations from providing agency specific insight into the concept of a semi-permanent inspection location in Western Lake Erie. Had the

representatives submitted to the interviews that were requested, the author would likely have been provided with valuable information that could have aided in furthering the evaluation and possible validation of the concept. However, with the lack of that information, the researcher moved forward with the evidence available and was able to reach sound conclusions. If the object of this research is to be moved from concept to practice, the Office of Field Operations would have to be not only substantially involved, they would have primacy in its implementation.

Conclusions

The author has, in the previous chapters, addressed the secondary research questions of this thesis. The relevant literature was reviewed and subject matter experts were interviewed in order to provide the information necessary to answer each of those questions. Having determined the potential successful solution to each of the secondary research questions, the author is in an appropriate position to address the primary research question. In this section, the researcher will attempt to answer the primary research question, discuss the conclusions reached, and explore what, if any, actions are recommended moving forward.

The primary research question is would a semi-permanent (limited by weather) physical inspection location on one of the Lake Erie Islands increase national security, prevent alienation of pleasure boating public, and do so within current budgetary limitations? The response to this question will be broken down into three portions and each will be addressed individually. After each portion is addressed, the author will discuss the overall conclusion.

The first portion to be addressed is the ability of the concept to be implemented within current budgetary limitations. As discussed in the Limitations section of chapter 1, due to the uncertainty and instability surrounding the budget of the United States Government, and therefore the same status of the budget for Customs and Border Protection, the author did not weigh the concept against the 2013 budget. Instead, the author utilized the normal budget circumstances as relayed by the subject matter experts. Each of the subject matter experts interviewed are familiar with their routine funding and, through their firsthand experience, were in a uniquely qualified position to provide accurate projections related to their ability to conduct operations within those budgetary restrictions.

Acting Division Chief Matthew H. Donaldson, the highest ranking person interviewed, believed that the current budget was adequate to conduct operations as they are presently performed. However, Agent Donaldson also believed that the manner with which the current budget is allocated could be improved. He felt that if there was more flexibility provided to regional commanders, the United States Border Patrol would be in a better position to positively affect national security. When specifically asked what his agency would need, as far as staffing and/or funding, in order to implement this concept immediately, Agent Donaldson referred to the Office of Field Operations and their potential need for additional funding and staffing dependent upon their assessment of the conceptual requirements. Agent Donaldson also felt that the United States Border Patrol stations in the region were at an acceptable funding level to aid in the operation of a semi-permanent inspection location in Western Lake Erie without additional resource allocation.¹

The next highest ranking interviewee was Corey H. Bammer, who serves as the Patrol Agent in Charge at Sandusky Bay Border Patrol Station. Agent Bammer, in his interview, stated that he also felt the current budget for his station was appropriate to provide assistance at a semi-permanent inspection location without the necessity of additional funding or staffing resources. Agent Bammer, like Agent Donaldson, questioned the Office of Field Operations' needs for this concept, but felt that the United States Border Patrol would be capable of immediate action if it were to be implemented.²

Deputy Patrol Agent in Charge David B. York, when asked the same question was very clear in this response. Agent York stated, "The Border Patrol wouldn't need anything. We would just redirect assets toward it."³ This answer eliminates the possibility of any misunderstanding regarding Agent York's opinion. However, both Agent York and Agent Bammer did raise one concern that each thought was significant. That concern was the lack of a technology piece in Western Lake Erie that would provide a detection capability. This concern is discussed later in the Recommendations section of this chapter.⁴

The only individual interviewed that felt that there was a need for increased funding was Supervisory Marine Interdiction Agent Nathan P. Aller. During Agent Aller's interview he remarked that the budget for Sandusky Marine Unit is tight while just conducting current operations. Fuel and premium pay are both on the verge of being at a shortfall level, but they are able to make due through readjustments of allocations when necessary. However, with the additional responsibilities associated with the semi-permanent inspection location, Agent Aller felt that his office would need additional premium pay funding for night and Sunday differential to operate at peak efficiency.⁵

This is understandable due to limited staffing and the potential need to expand operations outside of daylight hours, to include operations on Sundays. The long term effect of this requirement would need to be addressed by the Office of Air and Marine to determine the availability of additional payroll funding.

After reviewing the information provided by the subject matter experts, and with the understanding of the limitations discussed in chapter 1, the author believes that this concept can be implemented within current budgetary limitations of Customs and Border Protection. The staffing level necessary for the implementation appears to already be in place. The marine platforms necessary are available and would not require upgrades or additional assets.⁶ The only question that remains is the ability of the Office of Air and Marine to provide the necessary funding allocations to support the premium pay needs of their Sandusky Marine Unit. If all other aspects of this concept align to support implementation, the need for this funding would be a minor roadblock that should be relatively easy to overcome.

The next portion for discussion is whether this concept can be implemented without alienating the pleasure boating public. Again, the author is required to rely on the firsthand experience of the subject matter experts. Each of the individuals interviewed have spent time conducting public speaking engagements with the boating public and have come away from those with similar opinions. Repeatedly in the interviews, the author was told that the pleasure boating public desires a legitimate reporting location that would allow them to meet the legal reporting requirements without undue burden on the boater.⁷ The common belief that boaters would not only accept, but appreciate the implementation of this concept is extremely important. Only with the voluntary

compliance of pleasure boaters in Western Lake Erie would this concept achieve long-term success. From the interviews conducted, this appears to be the case, and as such, the prospect of alienating the pleasure boating public in Western Lake Erie seems remote.

The final portion of the primary thesis question that requires discussion is whether or not it would increase national security. During chapter 4, the researcher discussed the necessity of the concept and verified the validity, in part, through the strategic documents of the associated agencies. Due to the uniqueness of this concept, and the fact that it has not been tested in Western Lake Erie, it is nearly impossible to draw a concrete conclusion regarding its effect on national security without reliance on the same documents that validated the necessity of the concept.

Beginning in 2002, the Department of Homeland Security has released numerous strategic documents that were intended to guide the agency in its efforts to secure America's borders. These same documents often refer directly to maritime border security and Northern Border security efforts. The 2012 Department of Homeland Security *Northern Border Strategy* is probably the most relevant to this discussion, as it is the most recent and area specific.

In this document, the potential for terrorists to enter the United States through land, air, and maritime borders is declared the primary threat on the Northern Border.⁸ This statement, in and of itself, is enough to justify efforts to increase security in Western Lake Erie. After the terrorist attacks on September 11, 2001, there was little question that there were vulnerabilities that needed to be addressed and in the *Northern Border Strategy*, it is clear that the Department of Homeland Security continues to work toward eliminating those vulnerabilities. The concept being discussed may not be the ultimate

solution that would eliminate any threats to national security, however, the concept would certainly make progress in that regard and would be in line with the guidance provided not only in that document, but with all of those discussed in chapter 4.

Now that each portion of the primary research question has been addressed, as have the secondary research questions, what is the answer? The researcher has been able to determine, through the research conducted, that there is a need for this type of concept. Additionally, the researcher has been able to determine the viability and feasibility of the concept. The short answer, then, is yes, a semi-permanent physical inspection location on one of the Lake Erie Islands would increase national security, prevent alienation of pleasure boating public, and do so within current budgetary limitations.

If implemented in Western Lake Erie, from the research conducted and the information reviewed, it appears that the concept would positively affect national security efforts in Western Lake Erie. This determination is based on the need to monitor who and what enters the United States and prevent the entry of anyone or anything that could pose a threat. Without a firm manner with which to inspect those entering the United States in the region, the threat will continue to exist. Only when efforts are made to address and mitigate the potential entry of weapons of mass effect, terrorists, narcotics, and other individuals with nefarious intent, will the security level of Western Lake Erie, and thereby the United States, increase.

Furthermore, the cost of the location, while dependent upon the cost of facility acquisition, seems to be relatively low when taking into account current staffing and operational capabilities. While the researcher, and in theory the reader, understand that all efforts to secure the United States are based on cost benefit analysis, the apparent cost of

this concept is relatively low and would potentially result in a significant increase in border security in the region. Moreover, if this concept is implemented and proven to be successful in Western Lake Erie, there is the potential that it could be expanded to cover similar locations throughout the United States' maritime borders.

The bottom line is due to the information discussed throughout this thesis, it is apparent that this concept has the potential to be a benefit to the security of the United States. While there are no guarantees in border security efforts, this concept is worthy of further discussion with the decision makers who are tasked with border security. Those individuals, the Chief of the United States Border Patrol, the Commissioner of Customs and Border Protection, and the Secretary of the Department of Homeland Security, have on their shoulders a great responsibility. That responsibility is to protect the United States. While this concept may not meet all of their expectations, it should at least be considered as a possible opportunity to protect America.

Recommendations

During the interview conducted with Deputy Patrol Agent in Charge David B. York, the question of location was presented. Agent York's response provided an outstanding suggestion that the author believes is worthy of further evaluation. He stated that prior to the selection of a location for this concept, there should be a group convened to study the possible sites and determine which was the most operationally and fiscally appropriate.⁹ This suggestion, in the author's opinion, should be explored. Due to the various possible sites for a semi-permanent inspection location in Western Lake Erie, and the importance of operational and fiscal responsibility, it is essential that the correct location be selected. Without a site study group assigned to explore the possible locations

and determine which is most appropriate, the implementation of this concept could face substantial difficulties that would potentially result in reduced effectiveness and/or alienation of the local communities. The site study group recommended by Agent York could prevent these shortfalls.

The next topic that should be explored in future research is the conversion of a semi-permanent inspection location into an official Port of Entry. It was the intent of the researcher to address that topic in this thesis, however, the enormity of the research being conducted, and the conceptual state of the topic, made the complete discussion of a conversion unreasonable. The researcher determined that undertaking that discussion would serve to reduce the clarity of the thesis question and thereby diminish the overall value of the thesis. Prior to any research being conducted into this idea, it is important to first measure the viability of a semi-permanent inspection location in practice. Only then would it be appropriate to undertake the research necessary to propose conversion to a Port of Entry.

If a semi-permanent inspection location is implemented in Western Lake Erie and proves to successfully improve border security without alienating the pleasure boating public, there is reason to believe that its conversion to an official Port of Entry may be warranted. If this comes to fruition, then further research into the idea should be initiated so that the Department of Homeland Security and Customs and Border Protection have the information necessary to execute the conversion. However, pending the implementation and success of the concept discussed in this thesis, there is no reason to further explore the possibility of creating an official Port of Entry in Western Lake Erie.

Another recommendation made by Agent York, and reiterated by the other interviewees was the need for a detection technology in Western Lake Erie.¹⁰ This concept would, in basic terms, provide a radar system that would cover Sandusky Bay Station's area of responsibility and have the expandability necessary to increase coverage if future need were to arise. This idea has been discussed previously, in fact, the author has submitted several requests for funding that would supply a land based marine radar system with a centralized command and control center in Western Lake Erie. Although the multi-million dollar project has not yet been approved, the researcher recommends that the idea be explored further to determine the viability and feasibility of the project. If both the semi-permanent inspection location and a land based marine radar system were implemented in Western Lake Erie, border security in the area would surely benefit significantly.

While the concept of this thesis related to the potential successes and shortfalls of a semi-permanent inspection location in Western Lake Erie, it is essential to understand that this concept is intended to improve the security of the United States. The idea does not benefit one person or group, rather it benefits Americans who are less at risk whenever border security is increased. The recommendations in this section are similarly intended. None of these ideas alone can insure the elimination of all threats in the region, but as Supervisory Marine Interdiction Agent Nathan P. Aller stated when referring to border security efforts in Western Lake Erie, "any effort to improve the status quo is a benefit."¹¹

¹Donaldson, interview.

²Bammer, interview.

³York, interview.

⁴Ibid.

⁵Aller, interview.

⁶Ibid.

⁷Ibid.

⁸Napolitano, “Northern Border Strategy.”

⁹Ibid., 3.

¹⁰Ibid.

¹¹Ibid., 5.

APPENDIX A

CONSENT FORMS FOR INTERVIEWS

You have the right to choose whether or not you will participate in this oral history interview, and once you begin you may cease participating at any time without penalty. The anticipated risk to you in participating is negligible and no direct personal benefit has been offered for your participation. If you have questions about this research study, please contact the student at: 419-279-3062 or Dr. Robert F. Baumann, Director of Graduate Degree Programs, at (913) 684-2742.

To: Director, Graduate Degree Programs
Room 4508, Lewis & Clark Center
U.S. Army Command and General Staff College

1. I, Nathan P. Aller, participated in an oral history interview conducted by
Robert B. Simon, a graduate student in the Master of Military Art and Science
Degree Program, on the following date [s]: 3/18/2013 concerning the following topic:
Viability of a Semi-permanent inspection location in Western Lake Erie.

2. I understand that the recording [s] and any transcript resulting from this oral history will belong to the U.S. Government to be used in any manner deemed in the best interests of the Command and General Staff College or the U.S. Army, in accordance with guidelines posted by the Director, Graduate Degree Programs and the Center for Military History. I also understand that subject to security classification restrictions I will be provided with a copy of the recording for my professional records. In addition, prior to the publication of any complete edited transcript of this oral history, I will be afforded an opportunity to verify its accuracy.

3. I hereby expressly and voluntarily relinquish all rights and interests in the recording [s] with the following caveat:

☒ None ☐ Other: N/A.

I understand that my participation in this oral history interview is voluntary and I may stop participating at any time without explanation or penalty. I understand that the tapes and transcripts resulting from this oral history may be subject to the Freedom of Information Act, and therefore, may be releasable to the public contrary to my wishes. I further understand that, within the limits of the law, the U.S. Army will attempt to honor the restrictions I have requested to be placed on these materials.

Nathan P. Aller 3/18/2013
Name of Interviewee Signature Date
Robert B. Simon 3/18/2013
Accepted on Behalf of the Army by Date

CONSENT AND USE AGREEMENT FOR ORAL HISTORY MATERIALS

You have the right to choose whether or not you will participate in this oral history interview, and once you begin you may cease participating at any time without penalty. The anticipated risk to you in participating is negligible and no direct personal benefit has been offered for your participation. If you have questions about this research study, please contact the student at: _____ or Dr. Robert F. Baumann, Director of Graduate Degree Programs, at (913) 684-2742.

To: Director, Graduate Degree Programs
Room 4508, Lewis & Clark Center
U.S. Army Command and General Staff College

1. I, David B. York, participated in an oral history interview conducted by

Robert B. Simon, a graduate student in the Master of Military Art and Science

Degree Program, on the following date [s]: March 20, 2013, concerning the following topic: Semi-Permanent Inspection Station in Western Lake Erie.

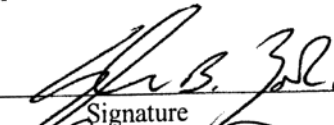
2. I understand that the recording [s] and any transcript resulting from this oral history will belong to the U.S. Government to be used in any manner deemed in the best interests of the Command and General Staff College or the U.S. Army, in accordance with guidelines posted by the Director, Graduate Degree Programs and the Center for Military History. I also understand that subject to security classification restrictions I will be provided with a copy of the recording for my professional records. In addition, prior to the publication of any complete edited transcript of this oral history, I will be afforded an opportunity to verify its accuracy.

3. I hereby expressly and voluntarily relinquish all rights and interests in the recording [s] with the following caveat:

☒ X None ☐ Other: _____

I understand that my participation in this oral history interview is voluntary and I may stop participating at any time without explanation or penalty. I understand that the tapes and transcripts resulting from this oral history may be subject to the Freedom of Information Act, and therefore, may be releasable to the public contrary to my wishes. I further understand that, within the limits of the law, the U.S. Army will attempt to honor the restrictions I have requested to be placed on these materials.

David B. York
Name of Interviewee


Signature

March 20, 2013
Date

Robert B. Simon
Accepted on Behalf of the Army by



March 20, 2013
Date

CONSENT AND USE AGREEMENT FOR ORAL HISTORY MATERIALS

You have the right to choose whether or not you will participate in this oral history interview, and once you begin you may cease participating at any time without penalty. The anticipated risk to you in participating is negligible and no direct personal benefit has been offered for your participation. If you have questions about this research study, please contact the student at: 419-279-3062 _____ or Dr. Robert F. Baumann, Director of Graduate Degree Programs, at (913) 684-2742.

To: Director, Graduate Degree Programs
Room 4508, Lewis & Clark Center
U.S. Army Command and General Staff College

1. I, Matthew H. Donaldson, participated in an oral history interview conducted by Robert B. Simon, a graduate student in the Master of Military Art and Science Degree Program, on the following date [s]: 3/19/2013 concerning the following topic: Viability of a Semi-permanent inspection location in Western Lake Erie.

2. I understand that the recording [s] and any transcript resulting from this oral history will belong to the U.S. Government to be used in any manner deemed in the best interests of the Command and General Staff College or the U.S. Army, in accordance with guidelines posted by the Director, Graduate Degree Programs and the Center for Military History. I also understand that subject to security classification restrictions I will be provided with a copy of the recording for my professional records. In addition, prior to the publication of any complete edited transcript of this oral history, I will be afforded an opportunity to verify its accuracy.

3. I hereby expressly and voluntarily relinquish all rights and interests in the recording [s] with the following caveat:

X None Other: _____

I understand that my participation in this oral history interview is voluntary and I may stop participating at any time without explanation or penalty. I understand that the tapes and transcripts resulting from this oral history may be subject to the Freedom of Information Act, and therefore, may be releasable to the public contrary to my wishes. I further understand that, within the limits of the law, the U.S. Army will attempt to honor the restrictions I have requested to be placed on these materials.

Matthew H. Donaldson 3/19/2013
Name of Interviewee Signature Date

Robert B. Simon 3/19/2013
Accepted on Behalf of the Army by Date

CONSENT AND USE AGREEMENT FOR ORAL HISTORY MATERIALS

You have the right to choose whether or not you will participate in this oral history interview, and once you begin you may cease participating at any time without penalty. The anticipated risk to you in participating is negligible and no direct personal benefit has been offered for your participation. If you have questions about this research study, please contact the student at: 419-279-3062 or Dr. Robert F. Baumann, Director of Graduate Degree Programs, at (913) 684-2742.

To: Director, Graduate Degree Programs
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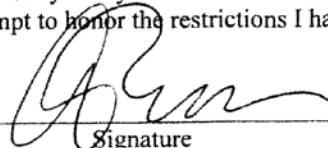
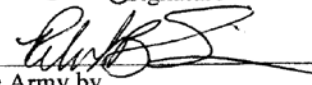
1. I, Corey H. Bammer, participated in an oral history interview conducted by Robert B. Simon, a graduate student in the Master of Military Art and Science Degree Program, on the following date [s]: 3/19/2013 concerning the following topic: Viability of a Semi-permanent inspection location in Western Lake Erie.

2. I understand that the recording [s] and any transcript resulting from this oral history will belong to the U.S. Government to be used in any manner deemed in the best interests of the Command and General Staff College or the U.S. Army, in accordance with guidelines posted by the Director, Graduate Degree Programs and the Center for Military History. I also understand that subject to security classification restrictions I will be provided with a copy of the recording for my professional records. In addition, prior to the publication of any complete edited transcript of this oral history, I will be afforded an opportunity to verify its accuracy.

3. I hereby expressly and voluntarily relinquish all rights and interests in the recording [s] with the following caveat:

None Other: _____

I understand that my participation in this oral history interview is voluntary and I may stop participating at any time without explanation or penalty. I understand that the tapes and transcripts resulting from this oral history may be subject to the Freedom of Information Act, and therefore, may be releasable to the public contrary to my wishes. I further understand that, within the limits of the law, the U.S. Army will attempt to honor the restrictions I have requested to be placed on these materials.

<u>Corey H. Bammer</u>		<u>3/19/2013</u>
Name of Interviewee	Signature	Date
<u>Robert B. Simon</u>		<u>3/19/2013</u>
Accepted on Behalf of the Army by		Date

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